Segregation-1929

California.

CITIZENS ARE TERROR STRICKEN

3/23/27

Five Bombings In Residential District Within a Week

LOS ANGELES, Cal., Mar. 21.—(A. N. P.)—Negro residents and business firms in the thickly populated district around Forty-second and Central avenue are in a quandary due to five bombings that have occurred in the vicinity within a week.

The first bombing occurred when a mysterious man driving a black coupe was seen by R. V. Robinson, 781½ East Thirty-eighth street, in an alley near Forty-second street and Central avenue. He tossed a black package from his car and an instant later, there was a deafening roar as windows crashed in four stores at 4214-16-18-20 South Central avenue, almost opposite the new Somerville Hotel.

The same day one was dropped at 4300 Avalon boulevard, a few blocks away, where a store front was wrecked. On Sunday another one was dropped on the lawn of Leo Honeck, 415 East Forty-sixth street, an excavating contractor.

The next day another "pineapple" supposedly intended for the home destroyed a chicken house in the yard at Fortieth street and Central avenue. On the following day came another blast in an alley near the same spot.

Various theories have been advanced as a solution to the recent outbreak. Some have conjectured that racketeers have objected to Mr. Honeck's use of Negro labor or handling of Negro contracts; others that white residents peeved at a recent discrimination judgment handed down favoring the Negro property owners involved, were taking steps for revenge, while still others claim that it is being done by some one endeavoring to check the steady march of business south from its former centralization near the 22 hundred block on the busy thoroughfare, called "Black Broadway."

The police so far have discovered no clew to the outrages and claim it is being done by mischievous boys.

5 BOMBINGS IN LOS ANGELES IN WEEK

LOS ANGELES, Cal. — (ANP) Negro residents and business firms in the thickly populated district around 42nd and Central avenue are in a quandary due to five bombings that have occurred when a mysterious man driving a black coupe was seen by R. V. Robinson, 781½ East 38th St. in an alley near 42nd street and an instant later, there was a defening roar as windows crashed in four store windows at 4214-16-18-20 South Central avenue, almost opposite the new Somerville Hotel.

The same day one was dropped at 4300 Avalon Boulevard, a few blocks away where a store front was wrecked. On Sunday another one was dropped on the lawn of Leo Honeck, 415 E. 46th St., an excavating contractor.

The next day another "pineapple" supposedly intended for the home destroyed a chicken house in the yard at 40th street and Central avenue. On the following day came another blast in an alley near the same spot.

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Segregation-1929

D.C.

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Review of the cases was sought by the National Association for the Advancement of Colored People. The association became interested in the cases after the Supreme Court of the District of Columbia had granted injunctions against the colored purchasers of the property and had declared void the deeds conveying the property to them.

First Street Property

The property is No. 2328 First street, northwest, which was sold to Henry A. and Alyce N. Cornish, and No. 77 Randolph street, northwest, which was sold to Edgar G. and Susie B. Russell. The First street property was subject to a restrictive clause which provided that it shall never be "used, occupied by, or sold, conveyed, leased, rented or given" to colored persons. The Randolph street property was covered by an agreement of property owners in that section that their property shall not be sold to or occupied by any colored person for a period of twenty-one years.

The Court of Appeals upheld the julgment of the Supreme Court of the District of Columbia declaring the conveyance of the property to Mr. and Mrs. Cornish and Mr. and Mrs. Russell void and ordering them to remove themselves and their personal property from the premises.

Unlawful Restraint

A review of the decision of the Court of Appeals was sought on the ground that the covenants were unconstitutional. The covenants also were attacked on the ground that they were contrary to public policy and constitutel an unlawful restraint of alienation and an unlawful restraint of trade.

Louis Marshall, of New York, who, with William E. Leahy, assisted in the preparation of the brief in support of the petitions for review, predicted that if courts of equity will enforce agreements of this kind, accomplishing an object which the state itself cannot do, a veritable ghetto system will result.

Negroes Denied Rights To Purchase Property

WASHINGTON, June 3—(AP)—The Supreme Court today refused to review the action of the lower courts of the District of Columbia sustaining covenants in deeds to property prohibiting its sale to negroes.

Edward G. and Susie Russell, property owners, conveyed property to Edgard T. Newton and other negroes. White owners of nearby property contended the deed by which the Russells obtained the property contained a covenant prohibiting its sale to negroes and the courts of the district held the covenant valid.

The Russells, as owners of the property and the negroes to whom they sold contended the covenant was an unlawful restraining upon the right to transfer property and was unconstitutional.

Exclusion Protested On Constitutional Grounds

FAR-REACHING CASE

Special to Journal and Guide

Washington, D. C., Mar. 14—The Supreme Court of the United States in a decision without an opinion rendered Monday held that the controversy involved in the case of Joe Tin Lun, a Chinese citizen, had become moot. It reversed the judgment of the Circuit Court of Coahoma County, Mississippi, and directed it to dismiss the petition of the native-born Chinese.

Joe Tin Lun sought a writ of mandamus to compel the State Superintendent of Education of Mississippi to allow him to attend a white school. He brought his suit under the Fourteenth Amendment of the Federal Constitution.

The Circuit Court of Coahoma County found that the facilities of the colored schools were not equal to those of the white schools and granted the petition for the writ of mandamus. Upon appeal to the State Supreme Court this decision was reversed.

At the time the suit was filed in 1922, Joe Tin Lun was 15 years of age. He became 21 years old sometime in 1928 and now has no right to attend the public schools of Mississippi. It was upon this technicality that the Supreme Court of the United States avoiding passing upon the question of the right of a Chinese citizen to attend a white school were equal facilities are not provided in the colored schools.

Washington, D. C., Mar 13—A case which may have a far-reaching effect on segregated public schools was argued in the Supreme Court of the United States last Tuesday. It involves the right of a Chinese citizen to attend the white public schools of Mississippi. This question is raised in the case of Joe Tin Lun against W. F. Bond, the State Superintendent of Education.

James A. Lauderdale, of counsel for the State of Mississippi, told the Supreme Court that the plaintiff in error is a native-born Chinese citizen and a resident of the State of Mississippi. The Constitution of the State of Mississippi provides for a State common school fund to sustain a system of public education thruout the State for all children between the ages of 5 and 21 years.

school a?sishrdlcmfwshrdcmfwshrddhr

Mandamus Writ Sought

Upon refusal of the school authorities to permit the plaintiff in error to remain in the schools, Mr. Lauderdale declared, a writ of mandamus was sought. To this petition the State Superintendent replied that there was a school conducted in that district for colored children equal in facilities to that used for the white.

The trial court found, Mr. Lauderdale continued, that the facilities in the colored schools were not equal to those of the white school and granted the petition for the writ of mandamus to compel the authorities to allow the Chinese to attend the white school. Upon appeal to the State Supreme Court, however, this decision was reversed.

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Earl Brewer and Edward C. Brewer, of counsel for the Chinese, did not take part in the oral arguments but submitted the case on their printed brief.

Constitutional Rights Cited

The brief filed by the plaintiff in error contends that the expulsion of a Chinese resident from the schools of the State of Mississippi is a deprivation of his right to the equal protection of the laws under the Constitution in the light of the circumstances that equal facilities are not accorded him in any other schools. The expulsion, the brief adds, is due solely to the fact that plaintiff in error is a Chinese citizen.

Admitting that equal facilities are all that is required under the Fourteenth Amendment, the brief declares that since there is no school maintained for the Chinese and the colored schools are not of equal merit with the white, the result of sending him to a colored schol will be to deprive him of the equal protection of the law.

Mr. Lauderdale contended for the defendant in error that the question involved in this case has become moot, and therefore the Supreme Court is without power to consider it.

The certificate of identity put in evidence is dated October 22, 1922, Mr. Lauderdale argued, at which time the Chinese gave his age at 15 years and therefore he was 21 years of age some time during the year 1928 and has no right to attend the public schools of Mississippi.

Following the usual practice of the Supreme Court in such cases, Mr. Lauderdale continued, the judgment below should be vacated and the cause remanded with instructions to dismiss the petition without costs to either party.

Segregation Law Is Sidestepped By U. S. Court

Supreme Court Refuses to Review Home Right Issue

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When the dwelling house was sold to Henry A. Cornish, colored, Patrick O'Donohue and seven other owners of adjacent properties brought suit to enjoin Cornish from holding title or possession of the premises, claiming violation of the restriction.

The second case involved property in Randolph place. More than 100 residents of the community had entered into an agreement that for 21 years none of the properties" shall be used by, or sold, conveyed, leased, rented, or given to any colored person."

Represented by Louis Marshall, of New York, and William E. Leahy, the colored buyers, petitioned the Supreme Court to review the decisions of the Court of Appeals of the District of Columbia, maintaining the agreements constituted an unlawful restraint of alienation of property and an unlawful restraint of trade, contrary to public policy.

WASHINGTON, D. C., Oct. 21.—(By C. N. S.)—A resolution calling upon congress to pass a law providing for race segregation in the district was urged in a resolution under consideration by a special committee of the Columbia Heights Citizens Forum.

The resolution provides that where there are more than 50 per cent of the occupants of residences in a block occupied by one race, no members of another race could buy or rent homes, "where such race was segregated from others in schools, places of amusement, and public gatherings."

Another resolution called for a campaign to obtain 100 per-cent of the signatures of all residents of Columbia Heights not to sell their property to persons of another race.

The campaign is the result of colored families moving into some of the finest homes on Meridian Hill, while their objecting neighbors are unable to sell and leave the district. The "Hill" commands a view of the entire city and is one of the coolest spots in summer within the city limits. It is adjacent to the Fourteenth street shopping district and is easily reached by car lines.

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WANT RACIAL SEGREGATED BY LAW

JUN 22 1929

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Civic Forum Disregards Order of School Officials at Wilson Normal Meeting

Disregarding a notice from the Community Center Department of the public schools of the District of Columbia, the Columbia Heights Civic Forum held a meeting last Friday night in the Wilson Normal School building for the purpose of crystallizing sentiment in favor of the exclusion of colored persons as residents of that section of the city.

Notices for the meeting stated that one of its purposes was the discussion of the depreciation of property values due to the influx of colored residents. These notices were mailed to members of the organization. Only a few persons were in attendance at the meeting.

In opening the meeting the president of the Columbia Heights Civic Forum read a communication from the Community Center Department of the public schools stating that school buildings are sect or creed, or for teachings contrary to the American spirit.

Reads Editorial

The president also read an editorial from the Columbia Heights community paper declaring that no question of segregation is involved in the desire to keep the neighborhood lily-white, but that it is an economic question involving the depreciation of property values as soon as colored residents move into a block.

The buying of property by colored persons in that vicinity and their moving into that section were described as an invasion. Colored people were referred to as a menace. They were sometims called "blacks." One man referred to them as "darkies."

The chairman of the committee on real estate told what the association had done against the so-called invasion. He said he had gone around trying to get people to sign restrictive covenants against the sale of property to or its occupancy by colored persons. He said he had had difficulty in convincing property owners that residential segregation is public-spirited and that white residents were not interested enough to sign such covenants.

Values Go Down

He said that the average depreciation of property values as soon as colored persons move into a block is about 25 per cent. He named the following blocks as being safe from invasion: Euclid street from Eleventh to Fourteenth streets, Clifton street from Eleventh to Fourteenth streets, and Columbia road from Thirteenth to Fourteenth streets.

He conceded the right of the colored person to live wherever the white person sold him. He admitted frankly that their backs were against the wall, that there was nothing he could do. He asked for suggestions of means to head off the invasion. He concluded by saying that the tide has swept over them.

"Cheap White People"

The next speaker presented a pitiable figure of the effects of race prejudice on those who harbor it. He lives in the 1000 block of Park road, in which there are no colored residents at present. On account of ill health he is forced to sell his property. He said he listed it for sale with three white dealers, who told him they could not sell it to any white person for full value because of the nearness of colored people who are living in Lamont and Morton streets. The best offer that he could get from cheap white people who would turn his home into a rooming house, he said, was $8,000 or $9,000.

A colored real estate agent had been to see him with two clients. They had gone through his house three times, he said, the last time planning where they would put the furniture. They offered him $12,500 for the house, but he turned it down because they would not wait a week for him to decide whether to sell to them. He had gone to see his neighbors and offered them his property, but they would not buy. The man was almost in tears as he told his story of unwillingness to sell to colored persons and inability to sell to whites.

Sells at Loss

Another speaker told how residents in a block on Euclid street had bought a house, remodeled it and sold it at a loss in order to keep the property from being sold to colored persons. The house was resold for $200 less than the residents had bought it for.

The discussion then turned to the subject of how to save those blocks that were all-wwhite. The president told of the plans of a committee to go to Congress seeking legislation to the effect that the sale of property to colored persons in a block that is all-white shall be exclaimed, "I wouldn't sell to a white person in a block that is all-colored shall likewise be invalid.

Another speaker told of the number of real estate agents who are going around in the vicinity advising property owners to sell to colored persons first in order to get more money for their homes. The blacklisting of real estate agents who are going into white blocks to get property to sell to colored perosns was advocated.

The next speaker was afraid to use the word "colored." He said "other people," "others," or "menace." Once when he got excited, he xclaimed, "I wouldn't sell to a darky." His plan is to go to all the large businesses in Fourteenth street in that vicinity and get contributions for the purpose of having paid solicitors to go around seeking signatures to restrictive covenants. He also advocates more publicity in order to educate public sentiment in favor of restrictive covenants.

The Man Jabbers

The next speaker was asinine. He asked if the white property owners ever stopped to think of what is behind "all this invasion." He said it was the presence of Howard University and the Miner Normal School. He did not understand why there are more than 400 students in the Miner Normal School and only 200 in the Wilson Normal (white). He asked what does Howard University do with the three-quarters of a million dollars appropriations it gets annually from Congress. He expressed the belief that the money is used to recruit colored people to move into white neighborhoods.

Another plan suggested for stopping the so-called invasion was to talk it over with members of Congress from the South who would be sympathetic. Senator Cole Blease was named.

The reason for seeking legislation in the opinion expressed by a speaker that if the question of the legality of restrictive covenants should be pressed hard enough, the courts would hold them to be illegal under the Fourteenth Amendment of the Federal Constitution

CANNOT SELL TO WHITES; WON'T TO NEGROES

D. C. Segregationists "Carry On" in Protest Meeting.

USE HARD NAMES

"Menace, Invasion, Blacks, Darkies," Used

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Darkies, Blacks, Menace Invasion

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Backs Against a Wall

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Blease Named

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Segregation - 1929

D.C.

SEGREGATION FIGHT AGAIN IS IN COURT

Covenants Binding Property Owners Not to Sell to Colored Branded As Invalid

The validity of covenants binding property owners not to permit their property to be sold to or occupied by colored persons was again attacked in the Court of Appeals of the District of Columbia last Monday and Tuesday.

The chief bases upon which this attack rests are that such covenants are in restraint of alienation and also in restraint of trade and against the public policy of the United States.

New Angle

In its former decisions, the court was told, these questions were not presented and consequently had not been passed upon in the cases in which the court had upheld to colored persons or its occupancy by them.

The Court of Appeals heard arguments in two cases, which were combined. Louis Marshall, noted constitutional lawyer of New York City, made the argument for the appellees, who are seeking to reverse the decision of the District Supreme Court. He was followed by Frank F. Nesbit, representing the white property owners who are seeking to enforce the covenant. Lucien Mercier closed for the white property owners.

Sale Forbidden

Both cases were appealed from the Supreme Court of the District of Columbia. In one of the cases Justice Jennings E. Bailey granted an injunction restraining Edward G. Russell and his wife, Mrs. Susie E. Russell, white, from selling No. 77 Randolph place, northwest, to Edgar T. Newton, Robert H. Peterson and Mrs. Sarah P. Newton. A deed executed by the Russells to the Newtons and Peterson was declared a nullity. Mr. and Mrs. Newton and Mr. Peterson who had moved into the property were ordered to vacate the premises.

In the other case Justice Wendell P. Stafford declared void a deed from Thomas A. Grier to Henry A. and Mrs. Alyce N. Cornish conveying No. 2328 First street, northwest. He ordered Mr. and Mrs. Cornish to vacate the premises and perpetually enjoined them from holding title to or possession of the property.

Segregation Invalid

In his argument Mr. Marshall directed and attention of the Court of Appeals to the questions of these covenants placing a restraint on alienation and being in restraint of trade. Since the decisions of the Court of Appeals upholding such covenants, Mr. Marshall noted, there had been decisions in other jurisdictions holding residential segregation covenants invalid.

Mr. Marshall emphasized particularly that such covenants were contrary to the public policy of the United States, citing decisions of the Supreme Court of the United, Federal statutes and decisions of various courts throughout the United States.

Can Affect All Groups

The Supreme Court of the United States had definitely decided, Mr. Marshall declared, that no legislature might by its enactment do the thing that is being attempted by these covenants. He reasoned from that point that individuals would not be allowed to do what the legislatures themselves were unable to accomplish and seek the enforcement of any such proposition in courts of equity.

Referring to the Negro as the group against which these covenants were now directed, Mr. Marshall pointed out that if the policy were established similar covenants might be made against Jews, or Catholics, or any group of persons, making the acquisition of property a sort of impossible patch work and resulting in a veritable ghetto system.

Covenants Not Binding

Jo V. Morgan of the firm of Douglas, Obear & Douglas, representing a white property owner who had attempted to sell to colored persons, argued certain technicalities distinguishing these cases from other cases which had been decided by the Court of Appeals. He also contended that the alleged covenants had never been properly signed, acknowledged or executed in such ways as to become binding.

In defending the covenants, Mr. Nesbit took the position that the questions raised in these cases had been passed upon by the Court of Appeals. There are no distinguishing features between these cases and cases already decided by he Court of Appeals, he declared, and no reason had been shown why the court should depart from its former decisions.

N.A.A.C.P. in Figt

On the briefs for the appellees were Attorneys William E. Leahy, George E. C. Hayes, Ernest J. Davis and Edmund M. Toland. Mr. Marshall and Arthur B Spingarn, both representing the National Association for the Advancement of Colored People, were of counsel.

Mr. Leahy and the firm of Hayes & Davis tried the cases in the District Supreme Court and raised the questions regarding these covenants being in restraint of alienation and restraint of trade and against the public policy of the United States.

D. C. Segregation Law Again In Court Of Appeals

Capital Lawyers Aided By N. A. A. C. P. And Louis Marshall Argue Case This Week—Success Would Mean Ghettoes For Jews And Catholics Next

Afro-American

WASHINGTON, D. C. The validity of covenants binding property owners not to permit their property to be sold to or occupied by colored persons was again attacked in the Court of Appeals of the District of Columbia last Monday and Tuesday.

Two Cases

The Court of Appeals heard arguments in two cases, which were combined. Louis Marshall, noted constitutional lawyer of New York City, made the argument for the appellees, who are seeking to reverse the decision of the District Supreme Court. He was followed by Frank F. Nesbit, representing the white property owners who are seeking to enforce the covenant. Lucien Mercier closed for the white property owners.

Appealed

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Ordered Out

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Restraint of Trade

In his argument Mr. Marshall directed the attention of the Court of Appeals to the questions of these covenants placing a restraint on alienation and being in restraint of trade. Since the decisions of the Court of Appeals upholding such covenants, Mr. Marshall noted there had been decisions in other jurisdictions holding residential segregation covenants invalid.

Against Public Policy

Mr. Marshall emphasized particularly that such covenants were contrary to the public policy of the United States, citing decisions of the Supreme Court of the United States, Federal statutes and decisions of various courts throughout the United States.

Superior Court Against

The Supreme Court of the United States had definitely decided, Mr. Marshall declared, that no legislature might by its enactment do the thing that is being done by these covenants. He reasoned from that point that individuals would not be allowed to do what the legislatures themselves were unable to accomplish and seek the enforcement of any such proposition in courts of equity.

Jews, Catholics Next

Referring to the Negro as the group against which these covenants were now directed, Mr. Marshall pointed out that if the policy were established similar covenants might be made against Jews, or Catholics, or any other group of persons, making the acquisition of property a sort of impossible patch work and resulting in a veritable ghetto system.

Attorneys

On the briefs for the appellees were Attorneys William E. Leahy, George E. C. Hayes, Ernest J. Davis and Edmund M. Toland. Mr. Marshall and Arthur B. Spingarn, both representing the National Association for the Advancement of Colored People, were of counsel.

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RACIAL BAR UPHELD BY DECISION

Court Rules That Neighborhood Covenants to Bar Negroes are Valid

The decision of the Court of Appeals of the District of Columbia upholding the validity of covenants to prevent the ownership or occupancy of property by colored persons does not dispose of the questions raised in the two cases will be carried to the Supreme Court in the United States for final determination.

"The decision does not in any sense touch upon any of the points that were urged by way of distinction from the cases which were formerly before the Court of Appeals," said Attorney George E. C. Hayes, of counsel for the appellants.

Points Not Decided

He commented on the fact that in arguing the cases before the Court of Appeals, Louis Marshall, of New York, who was retained by the National Association for the Advancement of Colored People, pointed out that the questions of such covenants being a restraint on alienation, a restraint on trade and contrary to the public policy of the United States had not properly been before the court in previous cases and were not passed upon by the Supreme Court of the United States when it failed to take jurisdiction in the Curtis case.

Counsel for appellants expressed the belief that the Supreme Court will allow a writ of certiorari and pass upon these points and reverse the judgment of the Court of Appeals.

Must Vacate

In its decision Monday, the Court of Appeals followed its former decisions in segregation covenant cases and upheld judgments of the District Supreme Court restraining colored persons from owning or occupying property which they had bought and ordering them to vacate the premises.

The suits were based on agreements between white property owners providing that no part of their property shall be used, occupied by or sold, conveyed, leased, rented or given to colored persons.

Two Make Appeal

The appellants in one of the cases was Henry A. Cornish and his wife, Mrs. Alyce N. Cornish. They purchased No. 2328 First street, northwest, but the District Supreme Court set aside the sale and ordered them also to vacate the premises.

The appellants in the other case purchased No. 77 Randolph place, northwest, but the District Supreme Court declared the sale null and void and ordered them to vacate the premises.

Appeal Segregation Case To The Supreme Court

WASHINGTON, D. C. — The decision of the Court of Appeals of the validity of covenants to prevent the District of Columbia upholding the ownership or occupancy of property by colored persons does not dispose of the questions raised in the two cases which were decided by that court last Monday.

That is the opinion of counsel who represented the appellants. The two cases will be carried to the Supreme Court of the United States for final determination.

"The decision does not in any sense touch upon any of the points that were attempted to be urged by way of distinction from the cases which were formerly before the Court of Appeals," said Attorney George E. C. Hayes, of counsel for the appellants.

Louis Marshall

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Writ of Certiorari

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Opinion

The court in its opinion, written by Justice Van Orsdel, said that it found nothing in the covenants to distinguish them under consideration in previous cases.

Ordered to Vacate

The appellants in one of the cases was Henry A. Cornish and his wife, Mrs. Alyce N. Cornish. They purchased No. 2328 First stret northwest, but the District Supreme Court set aside the sale and ordered them to vacate the premises.

The appellants in the other case purchased No. 77 Randolph place northwest, but the District Supreme Court declared the sale null and void and ordered them to vacate the premises.

Ghetto System

Mr. Marshall pointed out that if courts of equity will enforce agreements of this kind, accomplishing an object which the state itself can not do through its legislative bodies, it will result in the setting up of a ghetto system and it will be only a matter of time before Jews and Catholics will be proscribed against on account of their race and religion.

THE SUPREME COURT DECISION

The supreme court of the United States has handed down another decision on the so-called "restrictions in deeds" not to sell property in certain sections in the city of Washington to persons of African descent. The questions presented to the supreme court involved covenants that property should never be sold to Negroes under penalty of $2,000. The agreed vendor and vendee of the property in question attempted through the court to resist the legal effect of the covenant on the ground that it was an unlawful restraint of their right to transfer property and that it was unconstitutional. The lower courts held that the restrictions were valid and binding.

The question involved in this case just handed down by the supreme court is identical with the question involved in the case of Corrigan et al. vs. Buckley as reported in 271 U. S. report 323 in which the supreme court held in an opinion by Mr. Justice Sanford, that the supreme court had no jurisdiction of the questions involved and that the record did not present such a case as to invoke the jurisdiction of the United States supreme court. "It is state action of a peculiar character that is prohibited. Individual invasion of individual rights is not the subject matter of the amendment. It is obvious that none of these amendments prohibited private individuals from entering into contracts respecting the control and disposition of their own property; and there is no color whatever for the contention that they render the indenture void."

In many of the cases presented to the United States supreme court involving the rights of citizens of African descent to purchase and occupy property in the so-called restricted districts, the supreme court has been compelled to render a decision without consideration of the question and it is due solely to the imperfection or insufficiency of the record presented. The two amendments relied upon are the fifth and the fourteenth. The fifth amendment "is a limitation only upon the powers of general government." Talton vs. Mayers: 163 U. S., 376, and is not directed against the action of individuals. The prohibitions of the fourteenth amendment have reference to state action exclusively and not to any action of private individuals. Virginia vs. Rives, 100 U. S., 313, and U. S. vs. Harris, 106 U. S. 629.

The great difficulty seems to be that the record in these cases was not of such to invoke the jurisdiction of the supreme court and consequently it amounted to a waste of time and money, both to the proposed purchaser and seller. If this question were given due consideration, much of the trouble would be avoided; namely, that the fourteenth amendment never applies to an individual; and it matters not what that individual does, the fourteenth amendment has to do solely and exclusively with laws passed by the STATE as a STATE and enforced or attempted to be enforced by the state through its duly authorized representatives and officers and unless it can be shown of record affirmatively and conclusively that the act complained of is a state act, the fourteenth amendment has absolutely no application whatsoever.

The difficulty with which the citizens of African descent are concerned is that they may not be permitted to purchase and occupy residences and property for their enjoyment in certain districts designated and called "restricted districts" with a covenant or clause in the deed prohibiting the vendor from selling or disposing of the property to persons of African descent. But that injury may not be equal to the injury suffered by the proposed seller, because in time to come, purchasers of property will realize that unless they purchase it free of any and all restrictions they may suffer a serious loss from an economic standpoint, in that the restriction may well attach to property which no white person WOULD purchase and which no Colored person COULD purchase.

In the cases just handed down by the supreme court, as well as other cases of this nature, it is apparent that the white seller was equally as anxious to sell as the purchaser of African descent was to buy; and that in the final analysis the proposed white seller is more irreparably injured than the proposed buyer, and following out this theory, it may plainly be seen that no enabling statute is necessary for the supreme court to assume jurisdiction so that the question might once and forever be determined. The situation will take care of itself because from and after now, the purchasers of property in the so-called "restricted" districts will not wish to tie their own hands to the extent that they may not be able to dispose of their property to an advantage as they may desire, and necessarily such restrictions will automatically become as unpopular as they were popular when they were made.

It would be well for lawyers and litigants to have clearly in their minds, before proceeding in the courts where such questions are involved, to fully ascertain and determine whether or not the covenant or restriction is in compliance with the state constitution or statute, or whether it is simply a private individual agreement. If it be the former, the fourteenth amendment is applicable and the supreme court will construe the question on its merits, but if it comes under the latter class of cases, then the supreme court is wholly without jurisdiction and no complaint should ever be registered against the supreme court of the United States when it refuses to pass upon the merits of a case for the lack of jurisdiction when the fourteenth amendment is involved, where no showing of record is made that it is a state law or act sought to be prevented.

SUPREME COURT HITS PROPERTY OWNERS IN D. C.

Upholds Restrictions on Realty Sales

(See Lead Editorial)

Washington, D. C., June 7.—Restrictions on realty sales to our citizens were held legal Monday by the United States supreme court in two cases involving the ownership of property in the District of Columbia. The court refused to review decisions of lower courts holding valid restrictions against sale to our citizens.

One of the cases affected property which was purchased by Henry Cornish and other persons. When the owners took possession, white residents of the neighborhood brought suit in the lower district courts to enforce a covenant in the deed of previous owners. This covenant stipulated that the property should never be sold to our people, under penalty of payment of $2,000. The owners, led by Cornish, challenged this restriction as illegal, but the lower courts upheld its validity.

Upheld Lower Courts

The other case involved property sold to Edgar J. Newton and other persons by Edward G. and Susie D. Russell, the latter two being white. The sale was challenged by white residents on the ground that the deed by which the Russells originally purchased the property contained a clause prohibiting its sale to other than white buyers. The Russells and the buyers of the property both contended that the clause was an unlawful restraint upon the right to transfer property and was unconstitutional. The lower courts held against them.

The United States supreme court in neither case handed down a written decision. It merely refused to review the opinions of the lower courts.

Secretation—1929

General

THE "ENCROACHING" NEGRO

IN ALMOST every important city and town in the United States having an appreciable Negro population there exists in the minds of the white citizens the bugaboo of "Negro encroachment" on "white" residential districts. This is true whether in Los Angeles, New Orleans, Richmond, Washington, Baltimore, Philadelphia, New York, Chicago or Detroit. This bugaboo is based on the assumption that the Negro is inferior, alien, immoral, unsanitary and that his presence depreciates property values. In every legal and illegal way the whites have sought to keep back the tide of Negro "encroachment" but in almost every city they have failed to do so. Districts which were "white" a decade ago and sought to remain so by various kinds of property owners' agreements not to sell to Negroes, are now inhabited by Negroes.

Here is an unpleasant situation. Anywhere at any time it is likely to bring about inter-racial conflict with resultant loss of life and destruction of property. Happily, in most places the Negro "invasion" of "white" districts has been effected quietly and peacefully, but there is no guarantee that it will continue so. Negro population is becoming increasingly urbanized, along with the white, even in the South. It must have room to expand like any other population else the colored districts become sinks of disease, crime, immorality, vice and all of the other foul offspring of inadequate housing. Although many of the whites are aware of the results of their opposition to the expansion of the black districts, they continue to oppose it, arguing that the Negroes should stay "in their own section."

The more or less silent struggle goes on. Here and there a Negro gains possession in some way of a house on a "white" block or street. The whites object, send around petitions, hold mass meetings and occasionally throw brickbats through the windows. This sort of thing does not help to better race relations. And yet the Negro, fleeing filth and dirt and disease, has no other alternative than to "invade" a "white" district. What else can he do? He hasn't sufficient fluid capital to rebuild "his" district so that it will accommodate the rapidly growing black population and what he has is unorganized and thus unavailable.

White people are, of course, responsible for the situation of which whites and blacks, for different reasons, complain. Not all white people, of course, but a large enough percentage of them to make the situation annoying and intolerable. If white folk had not opposed the acquirement by Negroes of homes anywhere in a community, there would be very few, if any, Negro districts in our cities. The Negroes, according to their individual economic and social positions, would have scattered everywhere and race friction would have been practically non-existent.

We believe prominent white realtors in the various cities having sizeable Negro communities have the key to the solution of this problem or at least the amelioration of this dangerous condition. The chief concern of the Negro is that he have a good home and proper surroundings in which to live healthily and raise his children properly. Most of the Negro districts, even super-congested Harlem, could accommodate more Negroes by the construction of modern garden apartments. Negroes haven't the money to do it. White people have. If they do not want the Negro to move among them they should see to it that there is no reason for him to do so. This is admittedly only a palliative and yet it is worthy of consideration by our exclusive white friends.

Segregation-1929

Georgia

Atlanta Roused By Bombing of Negro Residences

Interracial Committees Demand Apprehension of Criminals and Protection of Negro Citizens.

Atlanta, Ga.—Following the explosion of a bomb last week at the home of Herman White, 79[illegible] Proctor street, interracial committees of prominent citizens have taken up with the police department, the prosecuting attorney and the chamber of commerce the question of securing protection for the Negro residents in that vicinity and of getting effective action against those who blew up the White home.

A committee composed of R. L. Foreman, business man, Willis Sutton, superintendent of city schools, and James Morton, secretary of the Church Cooperation Committee, immediately waited on Chief of Police James L. Beavers, and asked that special police protection be given to the citizens of the Proctor street neighborhood who several times within the last year have been terrorized by bomb explosions. The chief promised the cooperation of his department. A committee was appointed also to wait on John A. Boykin, the public prosecutor, with the request that his department make every effort to apprehend the perpetrators and bring them to justice. A third committee is to request the cooperation of the Chamber of Commerce in the effort to put an end to this sort of thing and safeguard the lives and property of all residents of the city. Further steps in the case are being considered by the interracial committee, which is deeply distressed and humiliated by the situation that has developed and is earnestly seeking means of effective action against it.

The bombing occurred in a section which is rapidly changing from white to Negro occupancy, and is thought to have been for the purpose of deterring Negroes from making further purchases in this neighborhood.

Segregation-1929

Georgia

Interracial Officer Lauds Veto of Segregation Paper

Action of Mayor I. N. Ragsdale Wednesday vetoing a segregation ordinance passed Monday by city council was met Thursday with commendation by R. B. Eleazer, educational director of the committee on interracial co-operation.

Prospect of a councilmanic battle in which proponents will attempt to secure the two-thirds necessary vote to override the mayor's veto was seen in an announcement by Councilman John A. White, of the fourth ward and co-author of the measure, that he will seek to contest the authority of the mayor to recall the paper after having affixed his signature of approval. Mr. Eleazer's statement was in support of Mr. Ragsdale's contention that the paper is unconstitutional and has been so declared in several instances heretofore.

The Richmond (Va.) ordinance, after which the Atlanta paper was modeled, has been declared illegal under a ruling of the supreme court within the past ten days, and Mr. Eleazer contends that the Atlanta attempt at segregation would meet the same fate.

Opinion of Mayson.

In recalling the paper after he had signed it, and after vetoing it, Mr. Ragsdale said that City Attorney James L. Mayson had declared that the measure would be declared illegal if a test case were ever made against it.

Mr. White will contend that the mayor had no authority to disapprove the paper after he had approved it, holding that the ordinance was the law of the city just as soon as it was approved and delivered to the city clerk. The fact remains that the paper as it stands carries the mayor's veto, and whether a point as to the authority of the mayor can be made is a matter of much conjecture in city hall circles.

There is precedent for the mayor's action. He has done the same thing several times since he became mayor of the city and former Mayor Walter A. Sims did likewise, it was brought out Thursday.

Eleazer's Statement.

Mr. Eleazer's statement regarding the veto follows:

"Mayor Ragsdale has shown wisdom in his veto of the segregation ordinance and his act should be sustained by the city council. Sufficient reason is found in the fact that such ordinances have repeatedly been passed on by the courts and not one has ever stood the test of constitutionality. The supreme court of the United States in 1917 ruled against an ordinance almost identical in its terms with this, which came up from the city of Louisville. In 1927 another case of exactly the same nature went to the supreme court and met the same fate. Just a few weeks ago the city council of Richmond enacted an ordinance of which the Atlanta bill is said to be a verbatim copy, and that ordinance has already been declared unconstitutional by Judge D. Lawrence Grover and an injunction against its enforcement has been issued.

"It would certainly seem that Mayor Ragsdale has acted wisely in vetoing a measure that would inevitably result in troublesome and costly litigation and ultimately be declared unconstitutional by the courts."

the bill, declared Wednesday night

Mr. White's next move in his attempts to have the segregation law will be two-fold, first, to have the measure passed to the city clerk as an ordinance of the city, following approval by the mayor Tuesday of the paper. Mr. White declared that when the mayor affixed his signature to the bill, it became a law and that at a later date the mayor did not have the authority to recall the act and disapprove it any more than he has the right to rescind any other ordinance.

Should this move not be upheld by the city attorney, Mr. White then will endeavor to have the measure passed over the mayor's veto.

City Attorney James L. Mayson Wednesday night declined to state just what the mayor's veto would mean. He stated that a measure becomes a law when the mayor affixes his signature to the paper in question. Whether Mayor Ragsdale has authority to recall a paper after approving it, is a technical question, he said, and he did not know just what would be legal in that case. The mayor has four days in which to approve or veto measures passed by council and the aldermanic board.

Action of the mayor Wednesday was predicated on a ruling of City Attorney Mayson to the effect that the attempt to pass a segregation paper in Atlanta was unconstitutional and would not be upheld by the courts.

The measure passed council without a dissenting vote. It had the sanction of 25 members of city council including the authors, Alderman Beverly T. Huiet, of the third ward, and Mr. White, of the fourth.

Others whose signatures were affixed to it were R. E. Gann, C. E. Buchanan, Harry York, E. W. Gilliam, W. E. Saunders, C. E. Hardy, T. M. Smith, T. G. Morris, Nelson Spratt, W. G. Cooper, George B. Lyle, W. R. Johnson, J. B. Ozburn, H. C. McCutcheon, J. W. Rountree, J. Allen Couch, Dr. P. P. Moon, Dr. J. E. Turner, H. T. Loehr, R. M. Cobb, Jr., Joseph P. Berman, Wiley L. Moore and G. E. Morgan.

Favors Measure.

Alderman Huiet declared that the paper as offered was a verbatim copy of one now in force at Richmond and which has been successfully enforced there. He did not indicate whether he would join in the attempt to override the mayor's veto.

If all those who first signed the measure vote to override the paper will be passed, notwithstanding the mayor's veto. It takes a two-thirds majority of city council to override. There are 36 members of council and 24 constitute a two-thirds majority.

Mayor's Message.

"Gentlemen: I am returning without approval proposed segregation ordinance adopted by your honorable body.

"Personally, I would favor this ordinance if we could make it legally effective. But I am advised by the city attorney that the measure, if approved, would be unconstitutional and could not be enforced if attacked.

"I can see no good in passing this ordinance that we know will be attacked in the courts and we have no chance to win. In the light of decisions already handed down on this same subject, attempted enforcement of a segregation measure would result in litigation that would bring unpleasant experience and do harm rather than good.

"Respectfully,

"I. N. RAGSDALE,
"Mayor."

SEGREGATION AND OUR CITY ATTORNEY

It seemed that Mayor Ragsdale first approved the White-Huiet segregation ordinance, and afterwards recalled and vetoed it, after consulting City Attorney James L. Mayson, who advised him that it was unconstitutional. It now appears that the City Attorney has decided that the Mayor was without authority to recall the ordinance and veto it, on the ground that the act was unconstitutional. It develops that the City Council unanimously passed the act over the Mayor's veto because the City Attorney advised that the Mayor was without authority to recall his approval and the ordinance became a law when the Mayor approved it, and his veto was void.

The City Attorney seems to be on both sides of the question. First, he decides that the law is void because it was unconstitutional. Second he decides that this unconstitutional law is the law and of force because the Mayor approved it. On which side of the Constitution does Mr. Mayson stand? If the law is unconstitutional and void, as he told the Mayor, why did he not tell the City Council the same thing? If the Mayor did not have the power to recall the ordinance and veto it, why didn't he tell the Mayor so when he consulted him? Why tell the Mayor the act was void on constitutional grounds, and tell the City Council that this unconstitutional act was law because the Mayor was without authority to recall it?

If the Mayor's act of approval was good, why permit the Council to override a veto which was void and without effect?

All of this scrambling of the eggs in the teeth of a Virginia judge declaring the same act void in Richmond. White and Huiet most likely copped the Virginia Act which has been declared a nullity in open court.

The subterfuge that the races were not mentioned is a scheme to hide an ulterior motive that will not deceive the courts. But the law the ordinance is based upon names the races which are prohibited from intermarrying, and this case presents another instance in which prejudice got the better part of the Council's judgment.

SEGREGATION LAW RECALLED!

At a recent meeting of the city council of Atlanta, a property segregation law was passed. It provides that "It shall be unlawful for any person to use as a residence any building on any street between intersection streets where the majority of residences on such streets are occupied by those whom said persons are forbidden to inter-marry." Such an ordinance has been passed upon as being unconstitutional. The author of the above act thinks that the dumb wording of the ordinance would make it perfectly legal. The mayor is not of this opinion. At first he approved it, but after securing legal advice, this was recalled by a veto. This act of the mayor is being protested by the author of the ordinance and will cause considerable discussion at the coming meeting of the council, which will have no effect whatever on the act ever becoming operative.

SEGREGATION LAW VETO UNDER FIRE

Co-Author Claims That Paper Became Law When Mayor Signed It Tuesday; Fight Looms.

Action of Mayor I. N. Ragsdale Wednesday in vetoing the measure passed by city council Monday providing for segregation of races in Atlanta, after he had affixed his signature to the paper Tuesday, will be attacked on the floor of council on June 3, the date of the next regular meeting, as being illegal, Councilman John A. White, co-author of

GEORGIA MAYOR VETOES ORDINANCE OF SEGREGATION

Predict Attempt to Pass Over Veto

New York, May 31—The N. A. A. C. P. learns that a determined fight is on in the city of Atlanta, Georgia over a segregation ordinance which has already been vetoed by the Mayor and which its proponents are expected to make an effort to pass over his veto.

The N. A. A. C. P. is informed by Robert B. Eleazer, Educational Director of the Commission on Interracial Cooperation, that "the proponents of the segregation ordinance evidently worked with the utmost secrecy."

Mr. Eleazer adds that "I have yet to find anybody who had received the slightest intimation of such an ordinance was contemplated prior to its actual passage. Pressude on the Mayor to withold his signature is being brought to bear both by letter from this office and by personal interview thru members of the Executive Committee."

As a result of this preassure, the Mayor has veteod the measure. Mr. Eleazer adds: "An effort will unquestionably be made to pass it over his

veto. Outcome uncertain."

Should this segregation ordinance be pased over the Mayor's veto it will be fought in the courts. Confidence is expressed that this segregation ordinance if enacted, will be thrown out on the basis of the ruling laid down by the U. S. Supreme Court in the famous Louisville Segregation case of 1917, (Buchanan ve Warley), to the effort that all segregation ordinances are unconstitutional.

One segregation case is now being fought in Richmond, Va., with the advice and cooperation of the N. A. A. C. P. This Richmond case was submitted on May 3rd to the Federal Court, and attorneys for the colored people are confident, in view of the Supreme Court's decision in the Louisville case, that the decision will be in their favor.

SEGREGATION ACT PASSED OVER VETO

Council Votes 28 to 0 To Override Mayor—Mayson Rules Ragsdale Exceeded Authority.

City council, by a vote of 28 to 0, Monday afternoon attempted to preserve its latest effort to pass a constitutional segregation law by voting to override Mayor I. N. Ragsdale's veto of the measure which was passed unanimously at a meeting held May 20.

The segregation paper at first was approved by the mayor and sent to the city clerk for a record. Later, Mr. Ragsdale recalled the measure and attached his veto. This was the center of a concerted attack by friends of the paper when it was brought back to council Monday afternoon, Aldermen Ben T. Huiet and J. Allen Couch and Councilman John A. White contending that the mayor exceeded his authority in recalling it after having once approved it.

City Attorney James L. Mayson held that the act became a law when it was signed and passed to the clerk for record, and that the mayor could not recall it.

Mayor Pro Tem Robert F. Pennington held that the veto was before city council and that if any objection was to be taken it must be taken on the veto only.

Mr. Huiet led the fight to override the veto, being supported by Mr. White, Mr. Couch and others.

Every member of city council who was in the room at the time the vote was taken cast his ballot to override the mayor.

Proponents of the acts declared that expert legal opinion was to the effect that the measure would be ruled constitutional because it did not mention the races, but only "those persons who are forbidden to intermarry."

They declared it should be tried out in the courts despite the fate which similar attempts have suffered in the past. Many efforts to enact a legal segregation provision have been made in Atlanta and other cities of the country, but each has been declared unconstitutional when carried to the supreme court.

Vote on the motion to pass the paper over the mayor's veto was as follows: Moon, Huiet, Ashley, Couch, Gann, Dobbs, Buchanan, Williamson, Millican, Murphy, Gilliam, Loehr, McCutcheon, Rountree, Chosewood, White, Berman, Morris, Hardy, York, Ozburn, Moore, Reynolds, Drennon, Cooper, Lyle, Johnson and Saunders.

SEGREGATION LAW PASSED IN COUNCIL

Paper Will Go to Mayor Today — Other Similar Measures in Past Declared Unconstitutional.

Another effort was made Monday by city council to pass a segregation law affecting Atlantans, when an ordinance offered by Alderman Ben T. Huiet, of the third ward, Councilman John A. White, of the fourth, was placed on second reading and received the unanimous approval of that body.

There was no debate, and the paper will go to Mayor I. N. Ragsdale this morning for his sanction. Several attempts to pass segregation laws have been declared unconstitutional.

Text of the measure follows:

"By Alderman Huiet and Councilman White:

"Be it ordained by the mayor and general council of the City of Atlanta that in order to preserve the general welfare, peace, racial integrity, morals and social good order of the City of Atlanta, it shall be unlawful for any person to use as a residence any building on any street, between intersecting streets, where the majority of residents on such street are occupied by those with whom said persons are forbidden to intermarry; provided, that nothing in this ordinance shall affect the right, existing at the time of the passage of this ordinance in any person, to use any such building as a residence.

"Any person by themselves or their agents violating the provisions of this ordinance shall be guilty of an offense and on conviction thereof in the recorder's court shall be fined not exceeding $200 or sentenced to work on the public works of the city for not exceeding 30 days, either or both penalties to be inflicted in the discretion of the recorders. Each day's use or occupancy in violation of this ordinance shall be a separate offense."

NEGRO FINED HERE IN SEGREGATION ACT TEST CASE

The first test case of the segregation act passed last May by city council was heard Tuesday afternoon by Recorder J. W. Callaway. Will Earl, negro, was fined $50 or 30 days. The offender's counsel indicated that the case would be carried to a higher court to test the legality of the act.

The complaint against Earl stated that 13 white families and 8 negro families lived in the block to which he moved, in a house on Newport street, between Neal and Proctor. Under the council ruling this would be a "white block" and no more negroes could move in.

Supreme Court Refuses Review Of Negro Deed Case

Washington, June 3.—(AP)—The supreme court today refused to review the action of the lower courts of the District of Columbia sustaining covenants in deeds to property prohibiting its sale to negroes.

Edward G. and Susie B. Russell property owners, conveyed property to Edgar Newton and other negroes. White owners of near-by property contended the deed by which the Russells obtained the property contained a covenant prohibiting its sale to negroes and the courts of the district held the covenant valid.

The Russells, as owners of the property, and the negroes to whom they sold contend the covenant was an unlawful restraint upon the right to transfer property and was unconstitutional.

NEGRO LOSES CASE IN ATLANTA COURT

Atlanta, Ga.—(ANP)—Atlanta's recently passed segregation ordinance was tested here Tuesday morning when Will Earl was tried on charges of moving into a neighborhood where there were thirteen white families and eight Negro families residing. Earl was fined fifty dollars or thirty days. Attorneys for the defendant declared that the case will be carried to the higher courts. The complaint against Earl centers around the fact that he moved into a neighborhood in which no more Negroes could move under the new ordinance.

ATLANTA AROUSED BY BOMBING OF NEGRO'S HOME

INTERRACIAL COMMITTEES DEMAND APPREHENSION OF CRIMINALS AND PROTECTION OF NEGRO CITIZENS

Atlanta, Ga., Nov. 13.—Following the explosion of a bomb last week at the home of Herman White, 791 Proctor Street, interracial committees of prominent citizens have taken up with the police department, the prosecuting attorney and the chamber of commerce the question of securing protection for the Negro residents in that vicinity and of getting effective action against those who blew up the White home.

A committee, composed of R. L. Foreman, business man; Willis Sutton, superintendent of city schools, and James Morton, secretary of the Church Cooperation Committee, immediately waited on Chief of Police James L. Beavers, and asked that special police protection be given to the citizens of the Proctor Street neighborhood, who several times within the last year have been terrorized by bomb explosions. The chief promised the cooperation of his department. A committee was appointed also to wait on John A. Boykin, the public prosecutor, with the request that his department make every effort to apprehend the perpetrators and bring them to justice. A third committee is to request the cooperation of the Chamber of Commerce in the effort to put an end to this sort of thing and safeguard the lives and property of all residents of the city.

Further steps in the case are being considered by the interracial committee, which is deeply distressed and humiliated by the situation that has developed and is earnestly seeking

Illinois

Segregation - 1929

Try to Extend Restriction in Englewood

Plans to extend restriction in Englewood, south of 69th Street between State and Racine avenue, were received with enthusiasm by property owners at a meting held last week. Committees have been appointed to carry out the plans in each block.

A total of nearly 15,000 pieces of property are said to be covered by th erestriction plans. The district taken in four square miles. The district between 57th Street and 71 Streets, east of Halstead street, is reported as 97 per cent signed and the territory west of Halstead between 57th and 71st Streets, is said to be in the process of restriction. It is said that about one-third of it is completed and signed up.

Meetings have been held frequently in the Englewood, Marquette, Park Manor and Woodlawn districts in an effort to restrict those districts and keep out "undesirables."

Recently the South Shore district organized to keep out colored persons who might wish to rent or buy there. They claimed they were anticipating the future trend of population and preparing to control the trend as far as possible for the section involved.

would be settled amicably.

The property was sold two months ago to Robert J. Smith for $16,500, according to the real estate firm that handled the deal. It was not explained how the property passed to Steward, who was reported to be holding it for $21,500.

Information that a number of colored families have rented apartments in the vicinity of 71st Street and Blackstone avenue, has aroused the property owners of the community to make an organized effort to restrict the territory through the West Stony Island Improvement association which was formed last week.

The new organization will attempt to obtain signed agreements from 95 per cent of the property owners in the territory bounded by 71st and 75th Stree's Stony Island avenue and the Illinois Central tracks. The property owners will agree not to sell their property or lease any of their apartments to Negroes for a period of 20 years.

PURCHASE OF RESIDENCE STARTS RACE TROUBLE

Chicago July 26.—(AP)—The purchase of Andrew Steward, a negro of a residence in Winnetka, exclusive North Shore suburb, threatened today to cause a court fight.

The home is next door to the residence of Henry W. Hayes, a vice president of the Chicago & Northwestern railroad. Other neighbors are E. F. Chambless, head of A. G. Morse & Co.; Neil D. Dawes, and Louis E. Kuppenheimer, clothing manufacturer.

Steward indicated he would bring court action to compel the suburb to turn on the water in the house. W. L. Woolshiser, city manager, said there had been delay in turning on the water, but said he thought the dispute

Segregation - 1929

Anti-Colored Meeting Attended by White Negro

Detective work of the highest calibre in the course of which he was forced to pose as a white man enabled an N. A. A. C. P. investigator to attend an anti-colored meeting in Chicago where, he reports, the hostile audience agreed that colored land owners in certain sacred sections must "either move out or die." Vociferous approval was given the chairman's declaration to the effect that the only things needed to check the invasion is Irish spirit. . . .

"Among the speakers," says the report of the N. A. A. C. P., "was a man named Carroll, who said he represented the Chicago Real Estate Board, a noble organization, he termed it, which was therefore 100% in sympathy with the segregation movement. Carroll opened his address by saying that since bombing had failed to accomplish its purpose (one Negro in the city had been bombed six times without moving him from his home) the Corrigan-Curtis decision in Washington in 1926 was a godsend to the suffering Nordics of Chicago, since it legalized restriction by covenant. (Note: The Supreme Court has not passed on the validity of such covenants.)

"He affirmed that Chicago's Negro population with an increase from 25,000 in 1912 to 200,000 in 1928 had been reponsible for property depreciation amounting to approximately three hundred million dollars. He generously admitted that Negroes had to live somewhere but asserted they were occupying three times as much territory as they needed. He affirmed that the invasion eastward, toward the lake, had been stopped, and that the Negro would never get beyond Drexel Boulevard.

"The next speaker, an Englewood banker, declared the white people of Chicago were tired of running whether they would or not because of Negro 'invasion.' He asserted he was one of a nucleus of men who would not quit until the job of restricting was done."

Negroes Should Die or Sell

Questions from the floor brought out the fact that nothing could be done about 20 pieces of property already owned by colored people in the district until the colored people decided either to die or to sell.

Another man said he had sold a piece of property to a white woman and then discovered her husband was a colored policeman. She refused to move upon request and the inquirer wished to know if the covenant would have covered such cases. He was assured it would and husband and wife would have to separate if she retained the property.

Fighting Spirit Urged

In his closing remarks the chairman assured the audience that all it needed was the fighting spirit of the Irish. He said that at one time the colored people had started in the right direction—toward the stockyards—but the fighting Irish there turned them back. They then turned eastward, he said, where the silk stocking crowd supinely let them come until they had gotten possession of one of the finest thoroughfares in the world, Grand Boulevard, an everlasting shame to Chicago!

Try to Bar Negroes From Englewood For Twenty Years

Illinois.

At the meeting of the Englewood Property Restriction Association held in the Masonic Temple, 64th and Green Streets, the main topic of discussion was the surest methods of preventing colored people from moving into and occupying homes in the restricted sections of Englewood.

Last April, a meeting was held in the Odd Fellows Hall, 63rd and Yale Avenue, to organize property owners in an effort to prevent Negroes from buying property in the district bounded by 57th St. on the north, 6th street on the south, State street on the East and Loomis Boulevard on the West.

The association has drawn up an agreement to be signed by 75 per cent of the property owners in the Englewood district not to sell or transfer property to persons of Negro descent prior to January 1, 1945.

Business men and financiers in that distric are said to have given their hearty support to the movement. One of the speakers, a prominent realtor, got up and told the assemblage on Monday night, "that the colored people are progressing too fast here in Chicago, and something must be done quickly to check them. They are coming in on you and if we don't do something to stop them they will be right on you.'

"Bombing Won't Do It"

Colored people, the speaker stated, have taken the best streets on the south side. "They have taken State street, Wabash avenue, Michigan Boulevard and South Parkway." He reminded his audience that they had even surrounded Washington Park. He claimed that property values had dropped fifty per cent. in the colored neighborhoods, while they had soared in the restricted districts. "Bombing," on speaker declared, "will not solve the problem. The thing you withhold from a man is the very thing he will fight for."

There was no intention to molest the colored people already living in these neighborhoods, a member of the association stated, but they will make an effort to prevent more from coming in.

Similar Associations in Other Neighborhoods

Restriction associations in other neighborhoods have been organized. Among them are the Marquette Neighborhood Association on the west of the Englewood district and 90 per cent of the property owners between State and South Parkway just South of 57th street are said to have signed the agreement with the Park Manor Association. The movement was said to have failed on Oakwood oBulevard because the whites were slow in getting the agreement signed.

THE BARRIERS STRENGTHENED

PUBLIC REPORTS as well as rumors of the renewed activities of organizations of white citizens of the Englewood, Woodlawn and other residential districts of Chicago, calculated to debar Negro citizens from occupying or purchasing real estate within certain residential zones, are a bit disquieting. To say that this selfish, arbitrary, vicious and prejudiced attitude is illegal, un-American and most despisable is but to mildly censure a most flagrant abuse of "liberty" and "equality" two of the boasted fundamentals of our supposed democratic form of government.

While residential segregation as directed against Negroes is no new thing, north or south, its spread, the hectic agitation it begets, the racial ill-feeling it stirs, the hatreds it breeds, the long drawn-out, bitter rancor, and, prolonged strife makes it a deadly peril to the peace, harmony and well being of the races involved, but also threatens the community life of our commonwealths, the foundations of our government and makes spite workers, poltroons, cowards and sometimes anarchists of potential normal citizens.

Viewed in a dispassionate, critical, unbiased manner, there is much to be learned from a thorough, patient study of the situation, the conditions responsible, the relative merits of the respective claims of those interested and primarilly concerned, and a forecast of the ultimate damage to community ideals, standards, property values, civic pride and inter-racial relations.

The first duty of Negro groups, for all time and everywhere, is to resist by every legal and honorable means any and every attempt on the part of any other group or groups to curtail, abridge or annul their full citizenship rights or threaten their status as citizens.

At a recent meeting of a group of white citizens of Englewood agitating for the exclusion of Negroes from those districts now free of them as residents, one of the speakers declared that Chicago Negroes had depreciated over three hundred million dollars ($300.000,000) worth of property since the war, and that this fact should warrant them in seeking to bar them from districts where the whites had invested millions in real estate holdings and which it was their duty to protect from invasion by a group careless and indifferent to the values, appearance and upkeep of desirable property.

Granting that unscrupulous white and colored realtors exploited colored tenants and buyers unloaded heavily encumbered and oftimes worthless property on them, which they were sometimes unwilling and many times unable to keep in the manner befitting the neighborhood in which it was located. It is also all too true that at least 80 per cent of residential and 99 per cent of business property in colored neighborhoods of Chicago are owned by absentee white landlords who neither interest themselves enough to keep in first class repair the property for which they demand exhorbitant rentals of colored tenants.

Yet we can not place all of the blame upon the white owners, their agents or the hostile organizations. We too have a responsibility as surely ours as is our rights. That we occupy a part of the most desirable boulevards and many desirable residential sections of Chicago there is no denying; that we have been and are remiss in organizing to perpetuate them as they were is notorious to our discredit. We may protest vigorously, we may contend, we may incite, but the best means of disarming our accusers bringing up and keeping up to its highest standards those neighborhoods preponderantly occupied by our group. This can only be done by an ag-

Segregation - 1929

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Macon, Ga., Telegraph
Wednesday, August 7, 1929

measure of doubtful illegality—the [illegible] tax—and a measure of the rawest pork-barrel type that gives every county what it wants, rather than what it ought to have, in the way of state mileage—a leadership, in other words, that has produced nothing constructive and much that is demagogic.

Jim in Chicago, Too

For sixty years, the Chicago Tribune has been the chief critic of the South for its attitude toward the Negro. That criticism has been directed against us for, the Tribune claims, depriving the Negro of his legal rights with regard to suffrage and for our "Jim Crow segregation." The Tribune has been eloquent and able—it is able with its viciousness—in its denunciation of the South. No other paper has grown as excited as the Tribune or as critical.

When a situation that threatens the peace of Chicago comes about, however, we find the Tribune advocating the same sort of segregation that the South has had in effect from the beginning of its history. The Tribune says that two outbursts of violence have occurred because of the insistence of Negroes upon bathing at public beaches that have been used heretofore by the white people. The Tribune, commenting, says:

> The legal rights and duties are clear and they are all on the side of the Negroes, but there is a good deal more involved in these incidents than mere legalisms. We should be doing no service to the Negroes if we did not point out that to a very large section of the white population the presence of a Negro, however well behaved, among white bathers is an irritation. This may be a regrettable fact to the Negroes, but it is nevertheless a fact, and it must be reckoned with. Moreover, it is a fact which has frequently contributed to disorders and notably to the race riots of a decade ago. Under the circumstances it would seem that the Negroes could make a definite contribution to good race relationships by remaining away from beaches where their presence is resented.
>
> We do not doubt that the Negroes, for the most part, are willing to make whatever sacrifice is involved. The south park board should, without delay, provide adequate bathing facilities along the miles of beach between Roosevelt road and Pershing road which Negroes now may use and do use without hindrance. The Negroes of Chicago are among the principal beneficiaries of the millions of dollars spent upon the outer parks. In addition, they have inherited two of Chicago's finest boulevards, and the presence of colored people in Washington park, one of the largest, most beautiful, and best equipped in the city, is not resented. Their voluntary waiver of the right to bathe at the Jackson park beach would seem, then, to be a small price to pay for peace between the races, particularly after proper facilities have been provided for them elsewhere.

To the Southern Negro who knows nothing about it, Chicago has been pictured as the "Negro Heaven," with the result that it has a great population of Negroes from this section. It is, of course, nothing of the sort. Prejudice has no geographical lines nor is the fact that Chicago is a little farther north than Macon alter the fact that the feeling of the great majority of white people there is that there must be no social equality for the good of the races.

Property Owners Guilty

For years we have been accused of "depreciating" the property in which we live. We have been stigmatized as destroyers and when one of us has moved into a territory that has been exclusively white, it was a signal for the hue and cry that we have come to destroy and ruin down the territory. All that has happened to most of the neighborhoods in which we live cannot be justly laid to our destructive habits. As a whole we are renters, and when it has become necessary or profitable for property owners to turn over the property to us they do it with the idea that anything is good enough. They make little or no repairs, care little or nothing about the type of renters they get, and spend nothing to beautify either the property or the neighborhood. These owners are interested solely in the revenue that they can get from their property without spending anything on its upkeep.

Investigation shows that the owners who do not live in the district are the ones who permit basement stores of any description to mar the beauty of our boulevards. These money grabbers were the first to cut up beautiful apartments into kitchenettes. They are the ones who do not think we should have grass in front and back, brass polished on the doors, paint once a year, or any of the things which make for a clean and beautiful district. This practice has left in its wake the shambles we see on lower Wabash Avenue, State Street and other streets that were one both beautiful and exclusive. It is this type of outside investor who is now permitting and committing outrages in the best residential section that we boast about. While we admit to some of the blame for lack of beauty in some of the districts let's also place part of it where it rightfully belongs—at the doors of those owners who live outside and who think that anything is good enough for us and whose sole interest is getting as much as they can get without spending anything.

NORDIC WRITER GIVES OPINION ABOUT NEGROES

Chicago, Ill.—(ANP)—One of the offshoots from the recent excitement occasioned by clashes between whites and Negroes at the Jackson park bathing beach in this city, has been a series of annonymous letters written by angry white persons to Mrs. Jennie E. Lawrence, sister-in-law of one of the beach victims.

Mrs. Lawrence expressed her protests against the white assailants in a letter which was published in the Chicago Tribune, detailing how the whites had set upon her sister-in-law and twenty-three girl scouts who had gone to the beach. It was necessary to send five of the girls to hospitals, and Mrs. Lawrence's sister-in-law is now in the hospital, paralyzed and blind from shock caused by her ejection from the beach.

The letter which follows was written annonymously to Mrs. Lawrence on the same day that her letter appeared in the Chicago Tribune:

"Presuming you are the party who wrote the letter in today's Tribune, I am a white man, born in New York—20 years in the South—24 in Chicago. I have never failed to help a Negro beggar or charity. I would rather see my sister married to a well-bred Negro than to many of our foreigners here. I know the Negro like a book, here in the North and in the South. And I mean this letter for your and every Negro's good and no harm whatever.

"The Negro is his own worst enemy. Here in the North and in the South he's all the same in this one trouble-making fact—he wants to associate with white people in all that they do. Why did your friends pick out a beach far from your own color and race and want to force your presence on white people? The Negro wants nothing for his own race, exclusively. He is only satisfied when he can force his presence among white people. I've seen it proven a million times. Put on the same kind of street cars, trains or buses, with Negro employes and for exclusive Negro travel at a lower rate of fare and there are not ten per cent of the Negroes who would use them. They would force themselves into the same cars for whites and the same seats.

"Here in Chicago we have 50 miles of lake shore and your Negroes won't have beaches for yourselves exclusively. You want to bathe with a white man. White people, like myself, even the best of friends to colored people, don't want you around them. You, as a different race and color shouldn't want to be with or have white people around you. It's like oil and water—it can't be done. And, Mrs. Lawrence, it never will be.

"Shrewd Negroes and white politicians play your race up to a 'white heat' on the 'social equality' stuff and some fool prominent white person dines with a Negro and right away the whole Negro population becomes obsessed with the idea: 'Hooray, at last! the white folks have accepted us as their social equals.' And you proceed then to act as you feel, and soon a lot of Negroes and a few whites are with the 'angels.' And it will ever be thus.

"As much as I would do and like Negroes, I would die ten thousand deaths before I would accept him on a social level. Now, if I'm that way, how do you think the tens of millions here who naturally at all times and under any circumstances dislike Negroes, how do you think they feel on the question? The secret of the Negro's future in the United States lies in his catering to his own race exclusively in all things, establishing his own stores, factories and enterprises, restaurants, and so forth, and employing only Negro help.

"Because DePriest is talking like a 'drunken sailor' or a Mussolini, doesn't mean for an instant that white people want you or intend to have you force yourselves upon them in their social affairs or daily lives. Mrs. Hoover and the wife of every politician in Washington might eat with a Negro every night and the great American public would still be the boss and would say just the same as it does now: 'Negroes, stay on your own side of the high board fence.'

"If you want the truth in the matter, there are far more people in the United States today who dislike Negroes than there were one year ago? Why? DePriest and Mrs. Hoover.

"Another thing: You'll never stop a crowd of white people burning or hanging the black beast who attacks a white woman. I see scores of Negroes here every day that I can tell from their looks at white women what they would do if they had her alone in a lot or an alley. They deserve all they'll some day get.

"Instead of trying to stop lynching, why don't you try to stop the crimes that cause lynching? Did any of your race ever think of that? I doubt it because you have no originality at all. All you know or can do is do as the 'white folks' do. I doubt if you'd know which end of your hat goes on if you hadn't seen a white man put it on his head. Teach your boys that death awaits them for attacking white women and there'll be no more lynchings.

"Another thing: Don't get fooled on Chicago. Chicago is but a tiny spot in this country and because you have a certain amount of 'equality' here and many low bred, low-lived whites put themselves on an equal footing socially and otherwise with you, don't for Heaven's sake, bul

yourself into the dream that the entire United States is that way.

"One thing more: You threatened 'race riots.' Are you crazy? You'd kill some whites of course. But, listen. Suppose you killed them by the wholesale—do you think the others would take boats for Europe and leave the country here for the blacks? No, they'd annihilate you, that's all.

"Here is a motto for every Negro home: Stay to your own race and color and advance morally, socially financially and enjoy enduring peace for all."

"A FRIEND."

Segregation - 1929

Indiana

WOMAN ROUTS MOB WITH PISTOL

Indianapolis Hoodlums Are Fed Bullets From Her Porch

INDIANAPOLIS, Ind. — When hoodlums, said to have been members of the Ku Klux Klan, surrounded her home in an exclusive residential section, Mrs. Fernie King called the police, and when the hoodlums threw rocks through her windows and struck her, Mrs. King got a revolver and started shooting.

Her tormenters then dispersed rapidly, not to reappear until the police, whom they summoned after Mrs. King started shooting, came on the scene.

The officers placed Mrs. King under arrest, and when she threatened that the hoodlums should be arrested, one of them said "take her to jail, that's where she belongs." Mrs. King replied that "Yes, I am going to jail, but when I come back you had better not be around. If you are I will fill you full of bullets."

Mrs. King's husband, a dentist, was not present, but when informed of the incident bailed his wife out of jail.

The case was heard in court the next morning. The police presented two revolvers found in Mrs. King's home as evidence against Mrs. King but after a spirited battle between the state's attorney and E. Louis Moore, the defense attorney, the case was dismissed and the revolvers returned to the Kings.

Mrs. King's spirited defense of her home has brought offers of aid to her from various people, but she says she doesn't need help.

Iowa.

Segregation - 1929

IA. MAN COWS MUE THREATENING TO BURN PROPERTY

Stands Guard With Rifle Facing Armed Crowd Of Hoodlums

DES MOINES, Ia., Aug. 28 Full police protection, day and night around the home of Hamon Tucker, stands as a guarantee to colored property owners against a recurrence of mob violence, such as was threatened last week, when a mob of over two hundred white men gathered in front of the Tucker home and threatened to burn it. This outbreak is the second attempt to frighten colored property owners out of the neighborhood, a similar outbreak having occurred before the home of Alexander Vesant last week.

Tucker became alarmed when more than fifty automobiles lined up in front of his home Thursday night, with their lights turned on the house. He rushed his wife and children out of a back door to the garage, and sent them to another part of town in his car. He then returned to the house, and arming himself with a rifle, stood guard by the front window.

Mob Cowed by Gun

Members of the mob who stood in front of the house brandishing flaming torches, called upon Tucker to come out. Someone called out, "Watch out, he's got a shotgun in his hand", and the leaders of the mob moved out of Tucker's yard to the street, where they hurled insults and abusive language in relative safety. After more than half an hour, the mob dispersed and Tucker notified the police.

It was related that other colored residents have received threatening letters, or have been called upon by white men, who have warned them to move or suffer the consequences. Police headquarters announced today that a thorough investigation will be made.

Kansas.

Segregation - 1929

Refuse to Rent to a Colored Lawyer Who Enjoys a large White Practice

Topeka Plaindealer
Topeka, Kans.

Hon. Elisha Scott removed to temporary quarters, 930 Kansas Avenue. Hard to rent a place. Had to Mandamus Kansas Power and Light Company to install his lights. What can be the matter with John Brown's State of Freedom?

7-8-29

Race prejudice is on the incline and it is getting stronger every day for the reason why, we cannot say. The American white man has decreed that the colored American shall not enjoy the rights of business on equality with them. They do not want him to do business on the same street or block with him, don't want to rent any building located in a business center to any respectable business or professional man, makes no difference how polished or educated he may be. He may be the highest and among the best people of the city or community, these white owners would rather rent to a greasy Greek, blanket Indian, any low despicable white man, convict or criminal or murderer in preference to a highly respected colored person.

Hon. Elisha Scott, born, reared and educated in Topeka, and one of the best Lawyers in Kansas or in the country, had to seek a new location and was refused by everybody on Kansas Avenue, because he was colored. He finally found a young white man who was acting for his boss, and who had instructions to rent the building. He had never thought about the color line when it came to business and his boss was conducting a business whose wares he sold to everybody regardless of color, so the young man could see no reason why the building at 930 Kansas Avenue, which is controlled by Arthur Tucker, the Electrician. When Mr. Tucker found out the Mr. Scott was a colored man, he tried to force him to take his money back, in fact, threw it back at him. Mr. Scott is now occupying the building temporarily.

We would like to know what these white churches and white ministers are doing toward civilizing the white race along christian and business lines? They don't seem to have any respect for the "GOLDEN RULE" or the "TEN COMMENDMENTS." This shows that the colored people ought to get together on commercial and business lines and buy buildings on Kansas Avenue where they can rent to anybody. This is where the colored minister could be of service to the race at least to condemn his white brother minister in not decrying, and denouncing such hypocracy and deceit as is used by these white ministers, who profess to be following in the footsteps of the Savior in teaching his people to live up to the Golden Rule.

There is no excuse for race prejudice along a business line, because the grave equals all nations, and none can resist it. All come into the world alike and go out alike. So color, money nor prominence makes one no greater than another when it comes to breathing pure air and living like a christian and dignified citizen should live.

Hon. Elisha Scott is now temporarily located at 930 Kansas Avenue, and enjoying the practice of all races. We cannot understand why white people can be so deceitful and at the same time seek his advice.

He had to secure a Peremptory Writ of Mandamus to ever have the Kansas Power & Light Company give him lights, but the lights are in and all these hypocrites and imposters may visit the office and have the Light of God shown through their wicked and black hearts by this Power & Light Company who was compelled to install them.

Segregation-1929

Maryland.

MANY WOULDN'T SIGN EUTAW PL. COVENANT

Rabbi Wm. Rosenau Said to Have Refused Request.

ECONOMIC REASON

Some Did Not Wish to Tie Up Property.

That many white residents on Eutaw place, some of them in the 1800 and 1900 blocks, have refused to sign covenants designed to keep the property from ever being occupied by colored people, AFRO-AMERICAN reporters found out this week.

Of half a dozen families living in the two blocks which were not listed among the signers, a check-up showed that several had been asked to sign the agreement, but did not wish to tie up their property so that they could not sell to whomever they wanted.

Won't Talk

Henry A. Lederer told a reporter that he would not talk for publication but said that he did not sign the agreement and would not sign it.

Mrs. Joseph I. Kemler, 1908 Eutaw place, declared that the list was presented to Mr. Kemler but that he did not sign it. She would give no reason for the refusal.

Mrs. Albert W. Tiedeman, 1920 Eutaw place, declared that no one had asked them to sign the covenant. Others listed in the blocks but whose names do not appear with the list of signers of the covenant are Moses Eiseman, 1807 Eutaw place; Simon Schloss, 1904 Eutaw place; Dave Kirsner, 1905 Eutaw place; Frederick White, 1924 Eutaw place; and Taylor Myers, 1919 Eutaw place.

Dr. Rosenau

When the request to sign such an agreement was presented to Rabbi William Rosenau some time ago parties close to him said that he re[fu]sed to sign. The rabbi has been [o]f the city most of the summer

JIM CROW WAR GRIPS MARYLAND

Legislative Fight Waged on Measure For Separate Conveyances

ANNAPOLIS, Md., Mar. 28.--Maryland is in the throes of its greatest fight against segregation. Led by Senator [illegible] Allegany County, three senators Friday presented a paper opposing the Corporation Committee the measure designed to repeal the so-called "Jim Crow" law.

The bill was introduced January 22 and referred to the committee with Senator Colgan, Baltimore, as chairman. He "suggested" that it be referred to the Judicial Proceeding Committee.

The law requires separate railway cars or compartments and quarters on steamboats operating within the state.

Pres. McIntosh, because of the Judicial Proceeding Committee, was already "burdened with work," did not change the committee reference. When the order was read Friday Senator Colgan was not in the chamber, and before the order could be put to vote an agreement was reached whereby it would be brought out later. Besides the minority floor leader, Senators Naylor (Rep.) and Englar (Rep.) signed the bill.

WHITES APPLY TORCH TO HOME OF BALTI. MAN

Use Fire In Attempt To Force Negroes To Leave District. Plan Protest

Eutaw Place

The discovery that the names of Mr. Jacob H. Hollander (white) and Mr. R. Brent Keyser (white), president of the Board of Trustees of Johns Hopkins University, and Mr. John D. Harlan (white), secretary, are among the signers of a neighborhood agreement forever to bar Negroes from residence on Eutaw place (1800 and 1900 blocks) except as servants, gave Baltimore something to talk about last week. This street because of its fine mansions and well-kept centre parkway, is one of the prettiest in the city.

The agreement appears to have been negotiated in 1924-25, when the Curtis segregation case in Washington was passed upon favorably by the Washington, D.C., lower courts.

Startling to Baltimoreans was the list of names of the signers, many of whom were believed to be philanthropists and humanitarians.

Five years from now, these segregationists will be offering their property for sale to Negroes, because no one else will buy.

The Curtis block of S street in Washington is all colored today. Readers of the AFRO will also recall the outcry when Negroes of Baltimore first occupied homes on McCulloh street and Harlem avenue, twenty-five years ago.

Streets intersecting Eutaw place are already occupied by colored home owners. Eutaw place is no longer the interracial boundary line. As the community expands, this street, with its parkway, will either be occupied by colored folk or entirely surrounded by them.

The property-owners' agreement, like that written into the deeds of the old Lauraville Land Company, will be a dead letter, forgotten except for the expose of the humanitarians.

BALTIMORE, Md., Nov. 27 - White business men of this city, representing the efforts of Negro workers to find decent housing, last night set fire to the home of William Oiling on West Lexington street, it is alleged. It is the only house in the block occupied by Negro tenants.

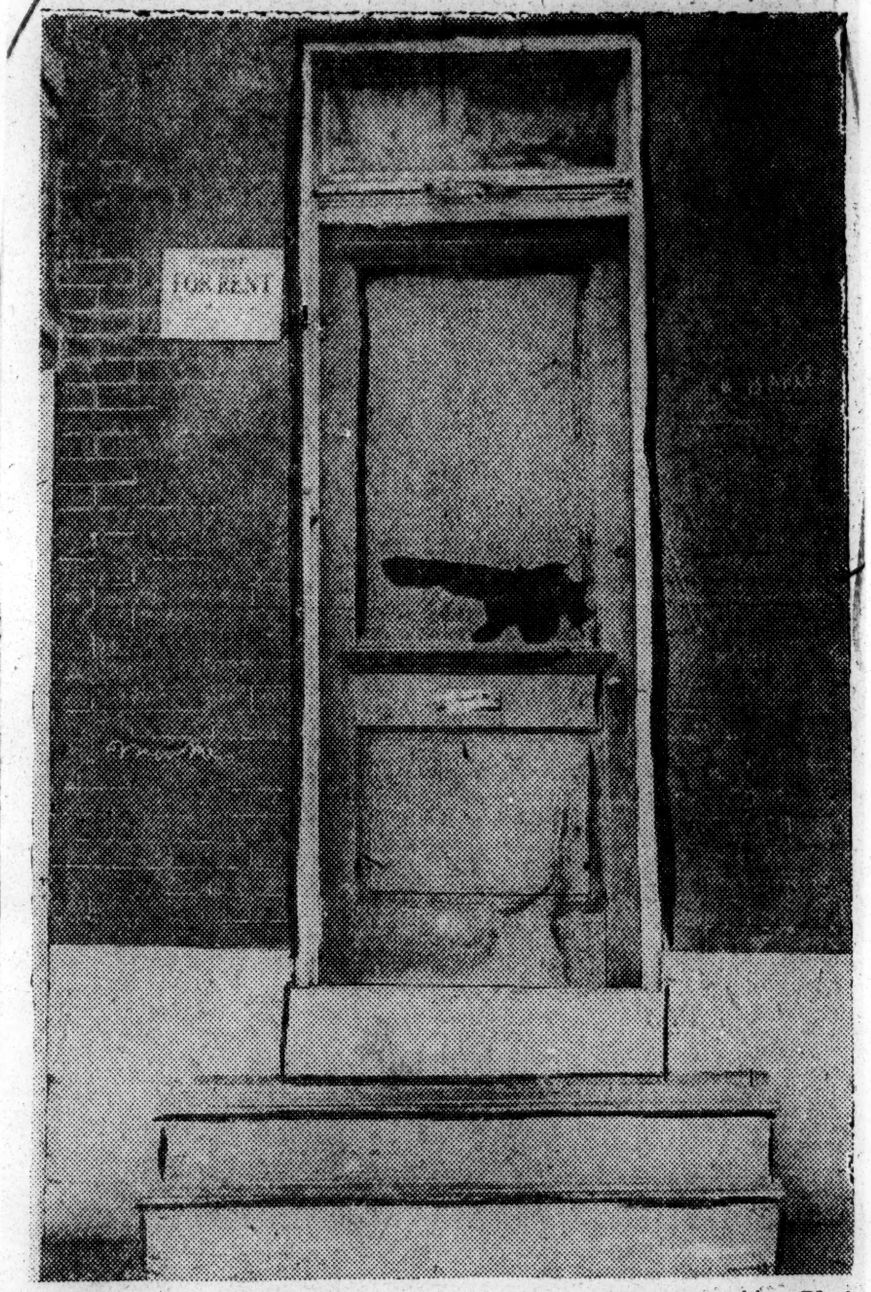
Oilings, his wife and step-daughter had a narrow escape. Trapped in the burning house, it was only after firemen managed to extinguish the flames in the front doorway that rescue could be effected. A few more minutes and the family would have been burned to death. Police say the shutters, window frames and doors had been saturated with gasoline.

A similar attempt upon another colored family was made some time ago in the same vicinity. So far the police have not arrested the guilty parties in either case.

Protest Outrage

Responding immediately to this dastardly attempt at the lives of Negro tenants the Baltimore branch of the American Negro Labor Congress has called a mass meeting for Wednesday. Otto Huiswoud, [illegible] member of the national executive committee of the organization, will be sent from New York as one of the main speakers. A tenant league of white and Negro workers which was organized here some time ago with the help of the American Negro Labor Congress will participate in the protest meeting.

Where Whites Moved Tenants Out



—*Afro Photo*

The house at 1632 Aisquith street, a "white" block, where officers looked on while residents moved William Lee and his family out after several windows and the front door had been smashed with bricks. Despite Lee's plea to remain until the next morning, he was forced to gather all his belongings and seek shelter with his wife's brother, John Dyer, 1225 N. Eden street. Although officers were guarding the house, no arrests were made.

ATTEMPT TO DRIVE NEGRO OUT BY FIRE

Home Of Colored Man Set On Fire Sunday Morning

Police of the Western district are investigtting what appears to be an attempt to drive from the neighborhood the only Negro family in the 700 block West Lexington street. The inquiry follows a mysterious fire early Sunday which trapped William Ollings and his family in their home at 779 West Lexington street.

Ollings, his wife and stepdaughter, Jessie Crutchfield, escaped only after firemen had extinguished the flames in the front doorway, the only exit.

Some one had saturated the shutters, window frames, dors and other framework of the house with gasoline. A five-gallon container was found in front of the house. Three suspects were arrested, but later released. According to the police, a similar attempt upon another colored family occured in the same neighborhood several years ago.

Moved There Month Ago

Mr. Ollings, bought his home and moved into it about a month ag.

Segregation - 1929

Michigan

DETROIT BOMB DRIVES TENANTS INTO STREETS

Afro-American

Explosion in Apartment House Near Sweet Home.

10-19-29

OCCUPIED 3 MOS.

Baltimore, Md.

In Section Recently Held by Whites.

DETROIT.—Colored citizens of Detroit are greatly aroused over the bombing of the nine-family apartment house at 10334 Charlevoix avenue, corner of Garland avenue, Thursday evening shortly after 8:30 o'clock.

The explosion drove more than a score of the tenants into the street and shattered windows throughout the neighborhood.

The bombing occurred directly across the street from the home of Dr. Ossian H. Sweet, who during 1925 and 1926 was the central figure in a race riot in which one white man was killed. Clarence Darrow defended Sweet who was acquitted.

It came just after the close of the most bitter contest for mayor ever staged in Detroit, and some are ascribing the act to political reasons. Dr. Sweet took a very active part in the present campaign on behalf of former Mayor John W. Smith, and was instrumental in creating great sentiment among race voters for him.

The building was taken over by Negro tenants last August, and no threats had been made. The bomb consisted of several sticks of dynamite placed in a glass container, and the explosion occurred in the rear court of the building. Approximately $2,000 damage was done to the building.

The tenants are determined to stand their ground and demand proper protection as law-abiding citizens. No further disturbance is anticipated as the attitude of Detroit Negroes in previous cases has been to answer "fire with fire."

DETROIT AROUSED BY BOMBING

Reporter

DETROIT, Oct. 16. (By A.N.P.)—Colored citizens of Detroit are greatly aroused over the bombing of the nine-family apartment house occupied by Negroes at 10334 Charlevoix Avenue, corner of Garland Avenue. The bombing occurred Thursday evening shortly after 8:30 o'clock and drove more than a score of the tenants into the street and shattered windows throughout the neighborhood.

10-19-29

Two rather strange co-incidents are connected with the bombing: 1, the bombing occurred directly across the street from the home of Dr. Ossian H. Sweet, who during 1925 and 1926 was the central figure in a race riot in which one white man was killed. The Sweet case assumed national interest, and Clarence Darrow famed jurist of Chicago, was detained by the National Association for the Advancement of Colored People to defend Dr. Sweet, and he, as well as those charged with him, were acquitted. 2. The other puzzling co-incident is: The fact that the bombing came just after the close of the most bitterly contest for mayor ever staged in Detroit, and some are ascribing the act to political reasons. Dr. Sweet took a very active part in the present campaign on behalf of Former Mayor John W. Smith, and was instrumental in creating great sentiment among race voters for the former mayor. It is expected that a sweeping investigation will be made promptly for political purposes and expediency.

The building was taken over by Negro tenants last August and no threats had been made. The bomb consisted of several sticks of dynamite placed in a glass container, and the explosion occurred in the rear court of the building. Approximately $2,000 damage was done to the building. The tenants are determined to "stand their ground" and demand proper protection as law-abiding citizens. No further disturbance is anticipated, as the attitude of Detroit Negroes in previous cases has been to answer "fire with fire."

DENTIST CAN'T OCCUPY NEW DETROIT HOME

White Sellers Refuse to Complete Deal

Detroit, Mich., March 22.—Two weeks ago Dr. W. H. Orr began to purchase a fine home on Woodland Ave., in a white residential district near the city outskirts. Before he had a chance to occupy his home race prejudice and residential segregation started to work.

Defender

3-21-29

An attempt is being made to prevent Dr. Orr from completing the purchase and from moving into the house. The sellers of the residence are white who at the time of the sale willingly signed an agreement to sell. A down payment was made by the dentist to bind the bargain.

Before the realty deal was consummated, Dr. Orr was informed by the sellers that they regretted the agreement. They urged him to release them from the contract and take his money back. A realty broker, Mr. McQueen, who negotiated the sale, was also offered an amount of money in place of his commission. The dentist and broker both refused to make such concessions when they realized the principles at stake.

As a result two suits have been filed in the courts to uphold the rights of the purchaser. Dr. Orr is suing for the amount of money and time he lost in the transaction. Mr. McQueen is seeking to secure his commission cut out by the sellers. It is believed pressure was brought to bear on the sellers by white residents of the neighborhood to prevent Dr. Orr gaining possession of the house.

Segregation – 1929

Missouri.

WHITES SEEK TO KEEP OUT WM. BOONE

Although in Center of Negro District, Fight Made to "Draw Color Line"

Kansas City

Whether or not a Negro may possess a home in an exclusive colored district in this city may be determined in the case of William Boone, 5th and Quindaro boulevard, who is being opposed by Mrs. Clark, a white woman, one of a group that is attempting to keep a certain portion of Quindaro boulevard on the south side, "lily white." The whites sought an injunction to prevent Mr. Boone from taking possession last year and the case is now being tried before Judge Hutchings, second division, circuit court. W. H. Towers is counsel for Mr. Boone.

Mr. Boone purchased the disputed property in February, 1923. Previously a group in the district made an agreement that from June 1, 1927 that none of them would rent, lease of sell property to Negroes. When they were apprised of the fact that a home had been sold to Mr. Boone, legalation was taken against D. W. and Ethel Vaughn, white, who sold the house to Mr. Boone. The case was delayed several times last spring.

It is said that three thousand whites west of 6th street on Quindaro boulevard have organized to keep the street as white as possible and are aiding in the present fight to prevent Boone from occupying the home. Mrs. Clark, the plaintiff; Mr. Jenkins who circulated the restrictive agreement and Mr. Neisler, notary who took the acknowledgement have already testified. The Kansas City Mo., branch of the N. A. A. C. P., according to the defense attorney has promised to aid in the case.

The present situation is novel in that the residence is in the heart of a thickly populated colored area, the Boone home being one of two the whites have been trying to keep "white."

A MOVE TO STOP NEGRO ADVANCEMENT

Under the pretext of guarding property values, a group of white people, west of Grand Blvd. on Washington and Delmar Avenues, are all up in arms because there appeared a "for rent" advertisement in the St. Louis Argus recently of an apartment in the 4100 block on Delmar Boulevard for colored people.

Of course, it is no new thing in St. Louis for a certain class of white people to oppose the efforts of the colored people to improve their living conditions and environments. Had we stopped because of opposition, we all, for the most part, would now be living down on or near the levee. Therefore, this new move must not deter us in our efforts to better our condition.

In the meanwhile, it will be proper to give a little more serious thought to this subject. It must be remembered that the statements issued by the leaders in these so-called Improvement Associations, saying that their activities are to protect property values, are not based upon facts relative thereto. It can be shown by dollars and cents, based upon experience, that rent prices and sale values go up when property is to be occupied by Negroes, and they pay the price. It is not uncommon for the rent price to advance from thirty to fifty per cent. This condition also prevails where property is for sale, and they get their price. Therefore, it can readily be seen that it is not a move to protect property values, but it is an effort born out of an evil heart actuated by a spirit of the Ku Klux Klan stripe, whose sole purpose is to "keep the Negro down." This class of white people are among those who are so blinded by race prejudice that they would say, "To hell with the constitution," and would trample the stars and stripes under their feet in order to deny the Negro the common rights of citizens.

So far as we are able to observe, the Negro, as a citizen, conducts himself with just about as much civility as the white man does. Of course, because of our association, education, and contact we have about the same instincts, habits and appetites as the white people.

We are accused by some of being a "backward race," and yet when we would advance, we are accused of "encroaching" upon the white man's territory, and therefore, must be kept down.

We confess that such matters give us a deal of concern. We wonder sometimes why is it that the white man opposes our advancement. We think sometime it's fear-but why fear us? Surely we are not the only "bears" in the land. We do not hear of any such opposition to any other groups, races, or classes. Isn't this a free country? Isn't it the constitutional right of every citizen to aspire and work in an honorable way to improve himself and family?

It is unfortunate for the city, as well as it is for each of the individuals, that they are so excited over the fact that Negroes are planning to reside on Delmar. If the colored people move into the nine apartments in the 4100 block on Delmar, it simply means that nine white families, who formerly occupied them, will move farther west and thereby add to the city's expansion. Instead of working and studying how to keep the Negro from advancing, these people ought to be studying advancement for themselves.

We are reminded, in this connection, of the adage oft told by the late Booker T. Washington who said, "You cannot hold a man down in a ditch unless you stay down there with him."

Let the Negro advance, and you will be helped by advancing yourselves. See?

OWNERS IMPROVE PROPERTY

Kansas City Call

Within recent months Negroes have occupied a considerable area to the east of what is called Kansas City's Negro section. They are now living on Brooklyn avenue as far south as Twenty-fifth street, where a few years ago they stopped at Nineteenth street. This and adjoining area is where a few years ago the restrictions were made by white owners against our buying or renting. The change has been made by mutual consent, and none of the bombing so characteristic of Kansas City a few years ago has occurred.

The peaceful penetration of this new housing area by Negroes is neighborliness at work, the living proof that this city is big enough for both races to live in and work together. The belligerent attitude taken in former days was based upon two assumptions. They were the impossibility of the two races living near each other in peace and the damage done property by Negro occupancy. The change has refuted the one, men can be different yet work in accord. We are happy to say the second assumption was equaly unfounded. Brooklyn avenue has shown marked improvement since Negro owners and tenants have occupied it.

Ownership makes a Negro a careful housekeeper. When only run down property was offered us, we had no means of displaying pride. For one thing poor housing took our money to overcome the disease it fostered. At the same time repairs and beautification were discouraged by a landlord who rented to tenants only as a stopgap while his property changed over to business use. Houses which we buy or build demonstrate the change that comes over a man from dissatisfied renter to struggling owner.

CARRY FIGHT FOR HOMES TO COURT

Private Agreements Against Negroes to Be Tested by St. Louisans

ST. LOUIS, Mo.—(A. N. P.)—A battle against the efforts of white property owners to prevent Negroes from owing or occupying homes in so-called "restricted neighborhoods" was launched here Tuesday when Attorney Homer Phillips, representing James T. Bush and company, realators, filed a petition against the granting of injunction restraining Negroes from living in the 4700 and 4800 blocks of Delmar boulevard

The case came to a climax here on Monday when Luther S. Taylor Daisy M. Taylor, Agnes Smart, Chas. L. Crow, Susan F. Crow, Arthur Bernaud and Sadie Bernaud, filed suit for injunction to prevent the James T. Bush company from renting property on Delmar boulevard to Negroes. The property was acquired by the Bush company in 1926 and since that time has been tenanted by whites. Recently Mr. Bush, president of the company, signified that he planned to rent the property to Negroes and the fight started.

By renting the property to Negroes the petitioners claimed that Mr. Bush was violating covenant signed by the property owners in the neighborhood which prevented Negroes from living in the district. In the petition filed by Mr. Phillips, it was pointed out that no such covenant exisited and also denied that the whites signing the injunction petition lived in the city blocks listed.

Against Constitutional Rights

Discussing the matter in its larger asptcts, Mr. Phillips points out in his petition that any restriction, such as mentioned in the injunction suit, against the selling. renting or occupation of the premises by Negroes " is contrary to the provisions of the 5th Amendment of the Constitution of the United States, Section one thereof, in that said purported restriction seeks to deprive the defendant of its property without due process of law; that said purported restriction is an attempted abridgement of the privileges and immunities of citizens of the state of Missouri, guaranteeing equal protection of the laws; that purported restriction is further in conflict witn the provisions of Article 2, Section 30, of the Constitution of the State of Missouri, guaranteeing to every citizen the right of property and that the same shall not be violated except by the process of law."

STAR
ST. LOUIS, MO.

MAR 1 1929

NEGROES IN HOUSE PROTEST COUNTY ZONING MEASURE

Declare Bill Engrossed With Other Improvement Proposals Is Segregation Attempt.

By a Staff Correspondent.

JEFFERSON CITY, March 1.—Improvement bills sponsored by the St. Louis County League of Municipalities were engrossed in the house today.

One measure, empowering the county court to appoint a planning commission to make plats of the county, regulate subdivision and highway development and draft zoning regulations, brought a protest from negro members of the house.

Representative Walthall Moore, St. Louis, charged it was an attempt at race segregation and would, if adopted, prevent negroes from building on properties they now own. There are several thousand negroes in St. Louis County, most of them in South Kirkwood and the South Kinloch Park district.

"Such a bill," Moore said, "comes with poor grace from any member of this house, and with especially poor grace from a Republican member."

Representative Allen, St. Louis pleaded against the measure because he said it was an attempt at racial legislation.

Representatives Heege and Elvins of St. Louis County, sponsors of the bill, denied racial segregation is contemplated and called attention to United States Supreme Court decisions which have held segregation ordinances unconstitutional.

The companion bills, providing for the creating of commissions by municipalities to work out zoning regulations in the towns and provide for their future growth and authorizing city and county planning commissions to regulate the types of buildings to be erected in the various zones, were engrossed without objection.

Mo. Whites Move to Bar Negroes

ST. LOUIS, Mo., Aprl 24—(ANP)—Acton to prevent members of our race from establishing residences along Delmar Boulevard between Grand Blvd. and Taylor Avenue was said to have been started by two hundred white property owners along that boulevard at an indignation meeting held last Saturday night.

The movement was started after an apartment in the 4100 block on Delmar Boulevard had been sold to a Negro real estate company. An advertisement is said to have appeared in a local newspaper, advertising apartments for rent in the 4100 block.

HUMANKIND NOT A NUISANCE

The supreme court of West Virginia has just taken a marked step forward in its interpretation of residential segregation by contract over that taken by the court of the District of Columbia two years ago. The District jurists held that the seller could limit resale so that Negroes never can become owners, but the West Virginians say if large numbers of possible buyers are cut off by the hand of the seller, then to that extent the owner ceases to be in control of his own property. Briefly put, they hold that the huge proportions of the restriction make the plan unlawful.

The West Virginia court also takes up the distinction between ownership of land and its use. Because a man is restricted from conducting a slaughter house on land, is no reason why he cannot own it. In other words some uses of land might be a nuisance, but no such claim can be made because of the race of its owner.

Dead hands must not be allowed to apply brakes to progress. If ownership of land had continued to be limited to the nobility the common people would still have the same status as the horse and the cow. No man has the right to say that any considerable portion of the human race shall forever be like Ishmael and use the laws of pro[illegible]s will the fact.

The decision is [illegible]g. As time goes by greater and greater humanity is written into the laws of the land, and behind them court interpretation moves up also. It took the Union armies to reverse the decision of Judge Taney in the Dred Scott case, a matter of years. The District of Columbia finds itself reversed in two years by this opinion of West Virginia. As the world comes into closer touch, we may look for man's inhumanity to man to be sooner uncovered and sooner corrected.

WHITE HOME OWNERS IN HOWL OVER TROOST LAKE CONDEMNATION

City Paying Them Only About One Half What They Would Charge a Negro Purchaser

All is not well with the property owners on the south side whose homes are being condemned to join Troost and Spring Valley parks. This condemnation, asked by the Linwood Improvement association and granted by the park board after no opposition to it developed at the public hearings, is now authorized by the city council. The city's appraisers have made their appraisement. It is this value which is the cause of the dissatisfaction.

Houses which the owners occupy are being valued at sums around $3,500. Since they will be dispossessed, they must buy other houses elsewhere built with higher priced materials and labor. They are not to get the price at which they would have sold to Negroes.

Some of the white owners charge favoritism. They say they are not being given treatment as good as that received by certain other owners who are related to members of the executive committee of the Linwood Improvement association. Some buildings in the condemned area, they point out, have suddenly become tenanted. Over a period of years they have been more or less empty. Now they are full, and there is a reason. It is to make their income seem large, because earnings are the real basis of value. Unscrupulous real estate dealers have a habit of "salting" apartment houses. Thereby they delude prospective buyers by showing their properties filled with tenants,—who vacate when the deal is consummated.

Only a few Negroes are in the area being condemned. They are the buyers of what are called the Niles houses, the cottages on the south end of the 2800 block on Highland built by Mrs. Frank A. Niles to be sold to Negroes. On the assurances of the Linwood Improvement association that condemnation would preserve all their values, they made no protest at the time when the park board held public hearings. They too are not sure the condemnation price will suit them.

All Kansas City has learned something out of this condemnation. Some of these very whites helped to fan race feeling in the hope of making a good sale of their properties. They have been valuing them at their original cost plus the improvements they have made. It is the same kind of price they make when they offer to sell to Negroes. Now comes the city, acting through the proper court, and it makes an appraisal which deducts the depreciation and takes into account the fact that owners have had use and made profit. The appraisers are pricing at $3,000 what owners have asked $6,000 from Negroes.

Negroes too are learning. When this condemnation first started and would have been halted in the park board had the slightest race coloring been given it, the few Negroes affected had not one word to say against it. Now they are not sure they will be pleased by the appraisal price, they know the best part of wisdom is being wise in time. Future attempts to divide the races by public condemnation of border property will find the white and the Negro owner both fearful of another unhappy outcome. Yet had the owners of property to be condemned considered that their money would come out of the pockets of other taxpayers, they would have known no appraisal could be high

Segregation- 1929

New Jersey

WHITE PRIDE LEADS TO TOWN SHOOTING

Alloway, N. J., Suspects Family of Having Negro Blood and Tries to Drive It Out.

WOMAN WOUNDS OFFICIAL

Draws Gun in Fracas Which Begins When Stones Are Hurled at House at Drum Corps Rehearsal.

Special to The New York Times.

ALLOWAY, N. J., May 7.—Postmaster Lewis Collier was in Salem Hospital today with a slight bullet wound in his chest and his alleged assailant, Mrs. Lillian Fleming, is in Salem Jail awaiting charged with atrocious assault and battery and carrying concealed weapons as a result of a fracas which broke up the weekly meeting and rehearsal of the Fife and Drum Corps here.

The chain of events which culminated in the shooting began last Saturday when Mr. and Mrs. Edward Robinson and Mrs. Fleming, who is Mrs. Robinson's sister, moved into the trim white house next to the town hall and promptly were ordered by the townsfolk to move on. The townsfolk suscepted Mrs. Robinson and her sister of having negro ancestors, and would not listen to the family's denials and protestations that they are white.

Alloway has civic pride. It boasts of being a "100 per cent American" town. All of its 150 inhabitants are white. They also are Protestant. The last negro the town harbored was "only passing through." He was driving a load of hay when some of the town's blades saw him, drove him from his wagon, spilled the contents of the hayrick on the roadside and set it ablaze. That was ten years ago. The lesson had its effect. Alloway continued the even tenor of its way until last Saturday.

That was when the Robinsons arrived. That, too, was when the trouble started. For each Saturday night between forty and fifty of the town's younger set gathered in front of the Robinson home and after hooting and yelling at the occupants, amused themselves by hurling stones through the windows of the house. One stone had this message tied around it:

NOTICE TO EDWARD ROBINSON:
Get out of Alloway. This is your final notice.

As frequently happens in such cases, the note was not signed. Sunday the community was occupied at church. Monday night the Fife and Drum Corps met at the Town Hall for its weekly rehearsal, an event which drew half the population to the neighborhood of Edward Robinson's home. Some townsfolk said afterward that Mrs. Robinson and Mrs. Fleming had sneered at them as they entered the Town Hall, which serves as Fire Headquarters as well as the meeting room of the Fife and Drum Corps, and other organizations which comprise the fabric of the town's social life. Mrs. Fleming and the Robinsons, however, insisted that all they had done was retort to the jibes of the townsfolk.

Anyway, Postmaster Collier ordered Constable Edward Van Meter and Sheriff J. Emmor Robinson to quell the disturbance, so the Fife and Drum Corps meting and rehearsal could proceed. As the three men advanced upon the two women, with the crowd cheering, Mrs. Fleming drew a pistol from her handbag and fired one shot, which whistled past the Sheriff, hummed by the constable and struck a glancing blow on the postmaster's chest.

The sheriff was not at home last night. Neither was the constable. The sheriff's wife, however, explained the affair as follows:

"The Robinsons moved here from Carney's Point, where there are several negro families. Alloway prides itself on having no negro residents. There may be one or two colored families living on the outskirts, but their children are not allowed to attend Alloway schools. The town pays their transportation and tuition in Salem. Somehow, word got around that there was negro blood in Mrs. Robinson's family and the people of Alloway ordered them to leave town. When they didn't there was trouble, although I was informed that Mrs. Fleming started it."

WHITES BARRED FROM EXCLUSIVE TRACT FOR RACE

Negroes Alone Offered Property in Residential Section

NEWARK, N. J., July 25.—It is a case of "taking some of their own medicine" for the white residents of this city who have had the bars of neighborhood segregation set up against them. The incident is the outcome of the action of John Dreir, wealthy retired lumberman, who has restricted a desirable section of the city which he owns to colored buyers alone.

Whites Would Buy

Although many whites would readily buy Drier's property, he will not sell to them. It consists of twenty acres of land that at one time was a cow pasture, but which is now in the midst of valuable residential property. A large sign standing on the tract reads: "For sale to colored people only; long terms; restrictions.

Arouse Ire

Dreier's ire was aroused by the action of the city in recently cutting streets through his land over his objection.

"They froze me out," Dreier said, "They don't want me to let them have colored people for neighbors."

TIMES
TRENTON, N. J.
JUN 21 1928

NEGRO HOME-BUYERS

To the Editor of the Times:

Sir—I cannot see why the possibilities of a Negro buying a home on Riverside Drive should create such an unpleasant discussion. I consider the articles published in the daily papers the past couple of days in reference to that situation a deep insult to every well-thinking, race-loving Negro in this community. The Negro race, like all other races of people, is desirous of living in better homes and obtaining better and cleaner surroundings. And it is only natural that we, the same as any other group, should seek for the best that our money will buy. It is true, beyond any question of doubt, that there are those among our group that are quite undesirable as individuals. But that is true of all races and, as a rule, it is not that class of our race or any other race that is seeking for better places in which to live. They usually don't care where they live.

This community it seems has grouped within it a very narrow-thinking body. There is no community that I have visited anywhere in this State where the colored group under the influence of such selfish, narrow community spirit, is forced to live under such undesirable conditions and surroundings. Within an hour's ride of this city you will find colored families living in homes in sections as fine or finer than those on Riverside Drive.

As for that "Spring Street Taxpayer," let me say that those of our group who have purchased homes on Spring Street, bought there because it was the best that this progressive community could offer its better class of colored citizens. Each of these, I feel safe in saying, would have preferred to purchase elsewhere, were it not for the fact that their lives would have been in danger. And that Spring Street Taxpayer who lives next door to a Negro is at least safe from bodily harm and injury, which shows that the Negro, to say the least, is civilized.

HIBURNIA QUEEN.

Segregation – 1929

New York.

INCITE AGAINST NEGRO

Rent Hogs Circulate Slanderous Letter

The economic basis of race riots and lynching is evident in a letter one of the subscribers of the Daily Worker received recently from a real estate company on Washington Heights, urging him to move from Harlem to the West Side because Negroes were moving into Harlem houses to a growing extent.

The letter, which is a typical bit of "high-powered salesmanship," comes from the West Side Renting Co., of 2525 Broadway, and is signed by Henry Pearce, one of its owners. It reads in part as follows:

"In view of the well known fact that the dark invasion is rapidly encroaching upon your section, it is time to move. We can give you our personal attention in order to satisfy your wishes."

It is from such capitalist greed for profit that the deliberate incitement against the Negro arises. Negroes have refused to keep out of any neighborhood which "superior" whites have tried to set aside for themselves, and correctly and effectively so. They have dared to move into a section of the city centrally located and have stayed there, despite attempts of renthog landlords, first, to keep them out, and then when that failed, to change them far more than previous tenants paid, and force them to resort to terrible overcrowding and to paying an enormous portion of their wages for rent.

By organizing militant tenant leagues, together with white workers, the Negroes will struggle against these atempts at segregation. Negro and white workers are asked to send to the Daily Worker news of the above kind, exposing such examples of capitalist exploitation and of race then when that failed ,to charge ing, with the factory, or with other aspects of the workers' lives.

Daily Worker 10-5-29

NEW YORK TIMES

OCT 2 1929

DEFACE NEGROES' HOME.

Vandals Splash Paint Over House Front—Policeman on Guard.

Not content with having burned a fifteen-foot cross in front of 111-32 169th Street, Jamaica, the home of the only negro family in the district, on last Thursday night, a group in the community or some one who apparently has a hatred for negroes, Monday night splashed red paint over the front of the house.

The negroes, who moved into the house last week, were greeted at night by a fifteen-foot cross of wood covered with rags saturated in gasoline and burning on the lawn in front of the house.

Yesterday morning the occupants of the house found that during the night some one had painted the front of the house, in spots, with a bright red paint. A policeman has been assigned to guard the house since the residents have complained that the next move may be an attempt to burn the place down. The occupants of the house have shown no sign of fear of the vandals and have not signified their intention of moving from the premises.

JIM CROW TALK Is REPUDIATED By REAL ESTATE BD.

NEW YORK, Feb. 6.—The Chicago Real Estate board, in response to a letter from the National Association for the Advancement of Colored People inquiring whether a Mr. Carroll who spoke at a recent property owners' segregation meeting, has disclaimed responsibility for his utterance.

The Real Estate board writes:

"For your information, we have three active members named Carroll. All of them have from time to time served on committees of this board, as all are quite prominent in the real estate business here. From the size and the extent of their business, it is probable that they are also active in local improvement association work and for all we know one of them may be Carroll to whom you refer; but, if so, anything said by him or any other person who happened to be a member of our board, at a meeting of such an association, would be a personal and individual matter, and in no sense an official expression coming from this board.

Daily Worker 2-25-27

WHITES FIGHT OPENING OF N. Y. RESORT

Police Guard Crowd From Violence

New York, Aug. 23.—White residents of Throggs Neck and the adjoining areas Sunday temporarily won the first victory in the fight to prevent the opening of a bathing beach and dance hall when Solomon Riley, realty man, of 408 Manhattan Ave., was forced to postpone the grand opening of the resort due to failure to secure three licenses. Riley called off a parade of Elks, a bathing beauty contest and an elaborate entertainment program. Inability to secure a dance hall license, a health department license and a police permit for the Elks parade caused the canceling of the "grand opening."

Hold Up Licenses

The opening was called off after Riley had done extensive advertising in Harlem, Brooklyn, Newark and even Atlantic City, N. J., where the Elks will hold their annual national convention next week. Riley, although unable to secure the licenses for the commercial enterprises, announced that his property would be open to "guests" free of charge and that he would act as host until the permits were granted. Gigantic crowds visited the resort Sunday while a large detail of police regulated the traffic and handled the people.

White residents in the vicinity of the resort were alarmed at Riley's clever move in acting as "host" to his friends until the licenses are granted. It had been alleged Saturday that white leaders had declared that they would attack and repel any persons who attempted to enjoy themselves at the hall or the beach. Their plan of violence was frustrated by police who stood only a few feet apart around the resort.

One noticeable feature Sunday was the fact that practically every white home in the immediate vicinity of the resort has posted "for sale" signs everywhere, meaning that they are eager to get away from this district.

Second Attempt

It is expected that many people of both races will attend the hearing on the issuing of licenses to Riley for his resort. The whites contend that the invasion of their district is lowering their property value and that the resort is a nuisance. Riley contends that the resort will be run under rigid management and the best citizens of Harlem who "haven't a single foot of waterfront even to wash their feet."

This is the second attempt by Riley to open a beach for his people in Harlem. He purchased an amusement park and beach in 1927 on Hart's Island. The property was condemned by the city and Riley was paid $144,015 as damages. The present resort property owned by Riley consists of 11 lots.

Segregation Fight Carried to Courts

Twenty Suits Filed by Student Group Against Steamship Line

Following a general meeting of the Students' Literary Association, at which time several student and civic organizations were represented, plans were formulated to carry to the courts the fight against the segregation practiced by the Hudson River Day Line at Indian Point.

Nearly twenty individual suits have been filed against the line as a result of the refusal of employees of the company to accommodate members of the association when they went on an excursion to Indian Point July 28.

Three committees have been named to make plans for a monster mass meeting early in September, when all organizations will be called upon to join in a protest against the policy of segregation carried on by the line.

A group of students representing the association interviewed A. V. S Olcott, general manager of the line some days ago. He refused to alter the policy of the company in any way.

A communication to the Amsterdam News from Fred Campbell and Oliver Foster, chairman and secretary, respectively, of the Conference Committee of the organization, denied any connection of the Communist Party with the fight they plan to carry on against the steamship line.

Daily Worker 7-26-29

NEW YORK WORLD

SEP 29 1929

PROTESTS FIERY CROSS

Negro Association Asks Whalen for Action on Vandalism

Asking prompt action to apprehend those who burned a fiery cross outside the home of Negro residents Friday night and broke all the windows in the house, a telegram from the Jamaica Branch of the National Association for the Advancement of Colored People was sent yesterday to Police Commissioner Whalen by Dr. C. M. Reid, President, and Frank M. Turner, Secretary. It read:

"The Jamaica Branch of the National Association for the Advancement of Colored People respectfully requests full police protection as long as may be necessary for colored residents of house on 169th Street between 111th and 112th Avenues, Locust Manor, assaulted by mob burning fiery cross and breaking windows last night. We are gratified that police promptly investigated and hope that guilty parties are arrested and punished. Our association offers full co-operation in maintaining order."

White L. I. Ruffians Burn Cross and Smash Windows

Police Commissioner Grover Whalen was requested Saturday by the Jamaica branch of the National Association for the Advancement of Colored People to make an investigation and cause the arrest of white vandals who burned a cross and broke all the windows in a house at 169th street and 111th avenue, Locust Manor, Friday night.

The family had just moved into the neighborhood Friday afternoon. No demonstration was made during the day, but the vandals came upon the scene at 10 p. m., put out all lights in the block and proceeded to vent their wrath upon the new residents.

Reserves from the Jamaica station answered a riot call, but the thugs had escaped upon their arrival. The officers destroyed the cross. The residents of the house refused to give their names and declared their intention of sticking despite the threatening demonstration.

Threats of Violence and Vigilantes Fail To Halt Throggs Neck Beach Opening

Bronx Whites Offer Opposition to Resort on Grounds That Dance Hall Would Be Menace to Small Property Owners

Neither threats of violence in the form of hundreds of placards around Throggs Neck reading "Negroes Beware!" nor concerted action of a mythical body called the Throggs Neck Vigilant Society, coupled with the Bronx Chamber of Commerce, the Bronx Taxpayers' Association and the Throggs Neck Improvement Association, nor flaring headlines in Bronx dailies deterred Solomon S. Riley, 408 Manhattan avenue, from opening his private beach at Throggs Neck for the inspection of hundreds of Harlemites who visited it Sunday.

Hundreds of white curiosity seekers paraded up and down the front of the beach all day and were kept moving by a detail of twelve uniformed policemen with two mounted sergeants under the direction of Lieut. Thomas Hanley, Sergts. John J. Lynch and George Tyndal of the Westchester avenue station.

During the day visits of inspection were made by Chief Inspector Lyons, Inspector Duane and Assistant District Attorney William Keir. Police authorities ordered the removal of the threatening signs early Sunday morning.

Rumors of grave disorders and expected trouble foretold in the columns of Bronx dailies for days past faded into thin air. The crowds of Negro visitors to the beach came and went in orderly, unperturbed fashion and enjoyed the free refreshments and free bathing facilities offered by the management.

The bathing beach and dance pavilion, comprising thirteen lots and a spacious waterfront on Weir Creek, an inlet of Eastchester Bay, situated at the foot of Vincent avenue and Schley avenue, was bought by Riley early in July.

Since that time he has spent thousands of dollars improving the beach remodeling the dance halls and building additional bathing lockers. The dance hall is completely finished with decorations of brownskin beauties done by Curtis Brown. A complete restaurant and refreshment stand are in operation and to the back of the hall is a wide veranda from which a full view of the beach and bathers is possible.

For nearly two weeks the management had a steam dredge removing stones from the beach at $105 a day and some twenty men working on a cement wall to serve as a breakwater for the beach. In addition to that a number of painters worked on the exterior of the premises and carpenters built a veranda around the bathhouse.

The whole beach is the culmination of the plans of years by Riley who owns real estate on both sides of Manhattan avenue from 118th street to 117th street. "I want this place to be a beach where people old and young, may come for a day's outing away from the city," he told a reporter from The Amsterdam News Sunday.

"It is no more than fair that I, who receive so much from my tenants, should give them something more than a place to live in. I want them to come out here and feel that they can rest from the toil of the city. I want Harlem to have a place where it can recreate as white folk recreate."

Opposition started against the beach and dance pavilion when Joe Darcey, white, president of the Throggs Neck Improvement Association, presented a petition to the Bronx Chamber of Commerce of which Logan Billingsley, white, is president, asking for measures to prevent the establishment of the beach and dance pavilion.

The Chamber of Commerce appointed an emergency committee consisting of William A. Cokeley, treasurer of the Chamber of Commerce; Henry F. A. Wolf, president of the Bronx Taxpayers' Association; William Murray and Joe Darcey, both of the Throggs Neck Improvement Association, all white.

That committee according to Logan Billingsley reported that the matter presented to them did not warrant consideration by the Chamber of Commerce. So far as the Chamber of Commerce is concerned, as well as the Bronx Taxpayers' Association, a reporter from The Amsterdam News was told that no further action would be taken.

Joe Darcey in a conversation with the reporter said that opposition by the Throggs Neck Improvement Association was restricted solely to the operation of a dance hall, which he believed would depreciate property value in the vicinity.

A hearing before License Commissioner Quigley will be held soon, when persons representing both the white and colored factions will be heard. Attorney Ralph Warrick, 200 West 135th street, has been retained by Riley to present his case before the Commissioner.

Because licenses for the dance pavilion, bathing beach and a parade of the local Elks were not forthcoming from Commissioner Quigley on application from William A. Brown, general manager of the resort, a beauty contest, sponsored by the Apex Beauty System, was postponed until September 5.

Riley, who is determined not to be thwarted in his attempt to give Harlem a place where it can have an outing, told The Amsterdam News that he was determined to fight the matter out until "hell freezes over."

William A. Brown, manager of the beach, assured all visitors that everything would be done to secure permits from the License Bureau and that he hoped to have the beach in perfect condition by September 5, when the beauty contest and a full day's program would take place.

Hit the Hydra!

RACIAL SEGREGATION lifts its head like a hydra anywhere and any time. The latest insult to the Negro is the action of the Hudson River Day Line Company in refusing to let Negroes bathe in its pool at Indian Point. That this action represents the company's policy and not the prejudice of individual employees is attested by A. V. S. Olcott, vice-president and general manager.

MR. OLCOTT told a reporter for The Amsterdam News that the charges were correct; that the presence of Negroes spoils trade; that he would have separate bathing pools if the law allowed them; that few Negroes would venture to sue the company; that even if they did sue, the damages would be small.

SUCH REMARKS make one's gorge rise; they could hardly be surpassed in the South. It is up to Negroes using the Hudson Day Line boats and resorts to fight segregation to a finish. If this man is banking on the timidity of Negroes, let them undeceive him. For all his talk of small damages, no company likes to lose money, in court or elsewhere. A dozen well-based and well-directed lawsuits would force a quick change in this company's policy.

Segregation - 1929

New York.

Citizens Join With Students In Protesting Segregation In Bath Pools at Indian Point By Day Line

Strong Resolution Against Such Practices Is Adopted and Congressman Hamilton Fish Jr. Sends Telegram Promising His Support

An interested group of citizens assembled at St. Mark's M. E. Church, 138th street and St. Nicholas avenue, the Rev. John W. Robinson, pastor, on Thursday night, September 5, to join with the Student's Literary Association in a protest against alleged discrimination in the matter of bathing facilities at Indian Point on the Hudson River by the Day Line management.

The meeting was presided over by Alderman Fred R. Moore, and the speakers emphasized the necessity of united race action to prevent continuance of objectionable segregation practices by a public serving enterprise.

Damage Suits Filed.

On July 27 the students went up to Indian Point on one of the Hudson River Day Line boats, and when they attempted to purchase tickets to the bathing pool were told that all tickets were sold. Following the first refusal, it was discovered that others were being sold tickets, so the students lined up before the ticket window and again demanded tickets. Upon being refused they stayed in line thus preventing other wouldbe patrons from being served, from about 2 to 5 p. m., the closing hour for the baths.

An attempt to secure satisfactory redress from the management was followed by the filing of a score or more of damage suits under the state's 'civil' rights law. The meeting at St. Mark's was for the purpose of securing community support for these actions.

Resolution Adopted.

The audience was entirely in sympathy, and unanimously adopted a resolution of protest against such discriminatory practices. The resolution is as follows:

WHEREAS, The Hudson River Day Line maintains a flagrant policy of racial discrimination; and

WHEREAS, Written and personal protests have failed to change this policy; and

WHEREAS, If we concede to others the highly dangerous principle of nullifying our legal rights we only nurture abominable race discrimination, invite further encroachment and undermine the very vitals of our legal status; and

WHEREAS, Only the prompt exercising of every legal agency at our command can bring about a change in the policy of this company and add one step in securing for ourselves that measure of freedom which should be the lot of all people; therefore be it

RESOLVED, That we here assembled in mass protest do most strongly condemn the prejudicial policy of the Hudson Day Line and pledge our moral and financial support in waging a relentless campaign against this case of racial discrimination.

Cong. Fish Sends Telegram.

The speakers, who voiced strongly the sentiment of bringing about an abolishment of this restrictive policy, were Francis E. Rivers, candidate for nomination to the Assembly from the 19th A. D. on the Republican ticket; Assistant U. S. Attorney Hubert T. Delany, Republican designee from the 21st Congressional District; Dr. John W. Robinson, pastor of St. Mark's; Cyril M. Philip of the Student's Association; Richard B. Moore, Negro Labor Congress; Attorneys Wm. T. Andrews jr. and William Lambert.

Congressman Hamilton Fish jr was programmed to speak, but sent the following telegram, not being able to attend:

"1929 Sep. 5—5:08 P. M.
New York, N. Y., 5:40 P. M.
"Hon. Fred R. Moore, Chairman,
St. Mark's M E. Church,
138th St. and St. Nicholas Ave
"Regret unable to attend mass meeting to protest discrimination against Negro students, owing to previous engagement to speak at Newburgh tonight to protest massacre of Jews and American citizens in Palestine. You can depend on me to cooperate to fullest extent against discriminations aimed at colored citizens, either in the North or South. Believe that the time has come for the colored people of Harlem to unite and present a solid front to assure the election of proven leaders of their own race who can be depended on in season and out to fight against all inequalities and discriminations, whether economic or political.

(Signed) "HAMILTON FISH Jr."

The chairman was introduced by Fred Campbell of the student group. A collection was taken to aid in legal expenses.

Hudson River Day Line Refuses Negro Organizations Use of Swimming Pool

Will Sell Tickets to Steamship Line Only—Vice-President Admits Tacit Policy of Segregation—Student Group Protests

A tacit admission of a definite policy of segregating Negroes from the swimming pool facilities at Indian Point maintained by the Hudson River Day Line was made to a reporter of The Amsterdam News Friday by A. V. S. Olcott, vice-president and general manager of the line.

The interview followed unsatisfactory communications between Mr. Olcott and The Amsterdam News and also Emile G. Thomas, president of the Students' Literary Association, concerning the discrimination against that group on July 28.

This organization, composed of college students, went to Indian Point on the Hudson River Day Line and applied for admission to the swimming pool. The request was refused. Employees of the line used various ruses to dissuade the students from entering. One employee said all the lockers were gone. Another said there were orders from the office not to admit them.

The group waited from 2:30 until 5:30 and despite the continual exodus of bathers were still told that the pool was filled. Finally, when this excuse was no longer plausible, the ticket seller brusquely told the group that he "just wouldn't let them in."

Meanwhile nearly 200 other people behind the group who had refused to relinquish their place in line before the ticket window were clamoring for admission. All were turned away.

In response to letters from The Amsterdam News and Mr. Thomas, Olcott sent identical notes saying that he would carefully investigate the situation. Yet he had made no reply to either Mr. Thomas or The Amsterdam News when interviewed Friday.

When shown a copy of Mr. Thomas' letter stating the above facts he said that they were substantially correct except that there had been no official order issued to the employees. "No action of any sort will be taken against the employees of the Hudson River Day Line responsible for this situation," he told the interviewer.

"If I personally had my way," he said, "I would run a boat to Indian Point every day in the week, but I am bound by the Civil Rights Bill. That law makes it impossible."

He admitted it to be the tacit policy of the company to exclude Negroes from the bathing facilities. "Riding on our boats is one thing," he said, "but bathing together in a swimming pool is quite another."

"Whenever a group of one race is swimming in our pools, members of the other race will be excluded. If it is necessary the policy of the line will be to close the pool entirely to all persons asking for admission if a large group of colored people are present."

This action, he assured the reporter, was absolutely legal. He gave as a reason for this policy the distaste with which many of the company's clients viewed the situation of colored and white people swimming in the same pool.

When it was called to his attention that this course of action on the part of Hudson River Day Line was not legal, he intimated that it would be less costly to the company to defend itself against the few who might bring suit than to maintain policy of no segregation.

Plans are under way for legal action on the part of the association which has its headquarters at St. Mark's Church, 48 Edgecombe avenue, against the Hudson River Day Line.

A determined fight against this form of segregation is promised by the officers of the organization. They plan a monster mass meeting in the near future in conjunction with the Negro Labor Party, the Young Communists' League and the American Communists' Congress to protest against the discrimination shown toward the Students' Literary Association.

NEW YORK EVENING
TELEGRAM & MAIL

NOV 4 1929

It Seems to Me
by
HEYWOOD BROUN

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YESTERDAY, for the first time in my life, I received a threatening letter. I was very much pleased. Years ago I resolved to beat down the prevailing impression that here was an amiable fat man without an enemy in the world.

My nameless correspondent wrote:—"Mr nigger lover Broun forgets that a certain house in Connecticut is burnable whether occupied or not. Also, it has not bullet-proof windows either."

He seemed to be agitated over the contention of this column that it would be monstrous for New York University to keep David Myers out of the game against Georgia. Indeed, he was so agitated that much of his letter could by no means be printed.

Only one phase of the threat disturbs me, and that can easily be adjusted. If there is any burning to be done I hope my well wisher will have sufficient intelligence to pick the right house. There are two there in a row, and the larger belongs to Miss Ruth Hale. It would be a mistake to touch a match to hers, for she is a violent person and would take it quite amiss. Even my bold correspondent would be out of luck if Miss Hale caught up with him. So let him remember that mine is the one with the blue window trim. If recollection serves me right it is covered by an insurance policy at least as adequate as the roof.

Arranging a Good Exit.

The sentence about the bullet-proof windows appealed to my imagination much more, for here he touched upon a point which at times has troubled me very greatly. I come from folk addicted to longevity. My mother has just signed on for a course in tap dancing and my father sits calmly through panics, saying ever so often, "Buy me 500 Steel."

And so in the normal course of events my obituary would read about like this:—"Last night in the Old Folks' Home there died an inmate named Heyward Broun. He claimed to be 102 years old. The aged inmate was fond of saying that he used to be a newspaper man once himself. He died from a complication of diseases, but his faculties were fairly clear right up to the end and he said that he could remember back to the day when Albany was considered 'way up town." This paragraph would appear on Page 39, close to the "Help Wanted advertisements."

Front-Page Stuff?

And has my correspondent no conception of the difference it would make to me if only some shot out of the dark came through a window and laid me low? There would be no great marksmanship in that. Anybody with a gun who missed me should be penalized five yards. Only a couple of years ago Dorothy Parker was discussing with me our respective chances to achieve a first-page death. Mrs. Parker felt that she hadno chance to get there unless she were found dead in the Blue Room of the White House with an ivory paper-cutter through the heart and her right hand clutching a lock of President Coolidge's hair.

I am less modest than Mrs. Parker and I think I might easily begin on the first page, before jumping to the second section, if I were the victim in a mysterious murder. The police would say that they were working hard on the case and expected to make an arrest very shortly. The National Association for the Advancement of Colored People might send a floral horseshoe and some representative of the Scripps-Howard newspapers would ride in a carriage all the way to the cemetery. Even the Times could conceivably carry an editorial suggesting that it was rather a pity for anybody to take the law into his own hands.

But if shot down from the bushes in the prime of life I would profit even more widely. My insurance policy makes me far more valuable dead than alive, but I am thinking of less materialistic benefits. Death is a solvent in which the vices disappear and only the virtues are remembered. And if there are no virtues the community is often kind enough to invent a few.

Forgotten, then, it would be that I was shiftless, lazy and timorous. Even the calibre of my work might take on a higher rating. The dead, like the drunken, are generally credited with having possessed great potentialities which they never had a chance to realize. "Had he lived," charitable opinion would go, "he might have amounted to something."

A Matter of Proper Staging.

Very inferior people have lived on after death as shining martyrs simply because the manner of their leavetaking was glamorous. And by the simple business of sitting by the right window in the proper light I could conceivably be ranked as one who died heroically to free his country from race prejudice.

I can almost weep myself as I think about it. Nothing of moment have I ever given that things in which I believe fervently may prevail. But I would give the swift, short pang of a bullet through the head and think it cheap at the price. Particularly if the whole thing was a surprise to me.

I must admit that I have not sufficient egoism to take the present threat seriously. Real killers are more close-lipped. But for the purposes of this fantasy I choose to accept my lone threatening letter at face value. And so I say:—"Come on, call your shot." Of course, in all honesty I must admit that I don't expect to be up there for another six or seven months. But when spring comes round next year I'll keep that rendezvous.

You may fire when ready, Buddy, but beware of the dog and don't tramp on the flowers.

TIMES-UNION
ALBANY, N. Y.

NOV 14 1929

SYNOD TOLD OF SEGREGATION

The religious devotion aand intelligence of the modern naturalized American Negro, particularly the younger generation, was stressed in a speech last night by Dr. Robert W. Patton of New York city at the annual dinner of the New York and New Jersey Episcopal Synod in convention in Albany.

"Very few people know the 'new Negro," ascended to a vastly higher plane of self-consciousness, self-respect and achievement," he said.

The segregation of the Negroes in the south is just as pronounced as 30 years ago, Dr. Patton said, aand with the immigration of the Negroes to the north, it is rapidly becoming a factor here.

Citing the mentality of the Negro, Dr. Patton said that psychologists give him credit for the same brain capacity when given the same chance as members of other races.

"There is no race so profoundly and persistently filled with spirituality and devotion," he said.

"We don't have to make the Negroes Christians. It is rooted in their very consciousness. What they need is an intelligent understanding of God."

Dr. Patton is a Southerner and has devoted much of his life to work with the American Church Institute for Negroes of the Protestaant church.

Bishop W. R. Stearly of Newark presided at the dinner. Other speakers were Mrs. Edwin A. Stebbins of Rochester, president of the Women's auxiliary, and Charles C. Burlingham of New York.

Segregation-1929

New York

Jamaica Whites Threaten Bombing of Negro Home If Family Attempts To Continue Living In the Community

St. Clair Edwards of Bethel Church, Who Married Former Pastor's Widow, Is Object Of Campaign of Hate By White Neighbors

Age 12-28-29

New York City

According to a statement released by the N. A. A. C. P., T. St. Clair Edwards, secretary of the board of trustees of Bethel A. M. E. Church, New York City, who married the widow of the late Rev. Dr. H. K. Spearman, and moved into a house he had purchased in Jamaica, Long Island, is being threatened by white neighbors who object to having a colored family in that particular community.

When the Edwards' family moved in, the whites smashed his windows, tore up the shrubbery and made threats of bombing the house if the family did not move out. An appeal to the police authorities resulted in having a guard stationed there.

Democratic Leader Warns

In the meantime, the local Democratic leader, Dougherty, has visited the home and warned Mr. Edwards that Klansmen of the neighborhood were determined no Negro should live in the neighborhood, and the same Dougherty is alleged to have said that he would "see Edwards and his family dead and in hell" before he would let them remain in their home. The same leader is said also to have tried to intimidate a Mr. Birmingham and wife, from whom Edwards purchased the property.

At another time, it is reported, a white man made a rude entrance into the house, holding up a blackened hand before Mrs. Edwards. He claimed to be the owner of thirty houses in the neighborhood, and was accompanied by a group of whites, who stood outside on the street.

Threats To Blow House

He offered to repay Edwards the amount paid for the house and threatened if they did not move out the house would be blown up. His inquiries as to Mr. Edwards' movements were not answered by Mrs Edwards.

To counter these activities, William T. Andrews, special legal assistant, and Frank M. Turner, secretary, of the National office and Jamaica branch of the N. A. A. C. P., respectively, are to have a conference with Mr. Edwards to take steps to assure protection for the family. The police guard remains on duty, as the local leader, Dougherty, is reported to have told a colored man, one Sydnor, that the whites would blow up the house as soon as the police guard was removed.

"I Want To Do Whatever Is Most Harmful To My Neighbors," Says Widow-Owner In Reply To Lodger Ban Of Snobby Neighbors

Courier

Pittsburgh, Pa

12/2/29

BROOKLYN, N. Y., Dec. 5—A race family of seven adults and five children will move soon into a fashionable house in the exclusive Lefferts Manor section of Brooklyn—and all because a few snobby white neighbors wouldn't allow Mrs. Anna E. Morris, handsome widow, to have lodgers in her home at 54 Midwood street.

The family will trek from Harlem as soon as the attractive Mrs. Morris finds an apartment. She announced Monday that she had signed options with the family, giving them the right to move in, but leaving her to choose later whether she would rent or sell them the big house.

"Want To Do Whatever—"

"I want to do whatever will be most harmful to my enemies," Mrs Morris stated, in reply to what her next move would be in her fight against the Lefferts Manor Association, which took court action to prevent her from continuing to take in boomers. They felt her action had lowered the tone of the neighborhood.

What she did last week has disconcerted "her enemies" considerably. When a large "For Rent or Sale" sign appeared on her dwelling with the inscription, "to colored people only," there were gasps of anger and surprise.

Several calls on Mrs. Morris resulted in the information that there would be no argument. Mrs. Morris was getting out, whether she won or not in her court action. But she was sick of having her personal life made into a community affair, and she was going to leave a colored family in her home.

"They were too good for me," Mrs. Morris explained, "who lived in the house before most of them ever saw the neighborhood. We'll see how they like my tenants."

House Finely Furnished

The house is profusely and expensively furnished in the style of the Mauve decade. There are enormous mirrors with gilt frames, elaborate crystal chandeliers, curios and whatnots. On either side of the fireplace, hang paintings of another generation of Morris' in heavy gold frames. There is enough furniture for two houses, by modern standards. But Mrs. Morris' tenant wants to rent it just as it is.

H. G. Miles, president of the association, when asked what action could be taken, admitted that Mrs. Morris had every right to rent or sell the house to whomever she wished.

N. A. A. C. P. Acts To Protect Jamaican

Courier

Pittsburgh, Pa

12/28/29

NEW YORK, Dec. 20—Two representatives of the National Association for the Advancement of Colored People, William T. Andrews special legal assistant, and Frank H. Turner, secretary of the Jamaica L. I., branch, will confer with T. S. Edwards of Jamaica, whose windows have been smashed, shrubbery about his house torn up, and threats made against his and his family's safety in an effort to drive him from his newly purchased home. The conference is to be held for the purpose of taking steps to assure full protection for Mr. Edwards, his family and his property.

The latest threat against Mr. Edwards took the form of a white mans' visit and rude entrance into the house, holding up his hand which had been blackened, before Mrs. Edwards. This white man said he was the owner of 30 houses in the neighborhood and would not permit colored people to live there. He offered to reimburse to Edwards the amount paid for the house if the family would move out. He threatened that if they did not move their house would be blown up. He also inquired of Mrs. Edwards as to the time of her husband's return home and the train he traveled on, information which Mrs. Edwards declined to give. During this white man's visit a group of other white people stood on the street.

Mr. Edwards further reports that a local Democratic leader, named Dougherty, was reported by a colored man named Sydnor to have threatened that the Edwards house would be bombed and that this bombing would be done by white people just as soon as the policeman now on guard was removed. Dougherty is also reported by Sydnor to have said that the bombing would have taken place two weeks ago had he, Dougherty, not interceded and persuaded the white men to let him handle the situation. He is reported to have said that he would "see Edwards and his family dead and in hell" before he would let them stay in their home. Dougherty is further reported to have tried to intimidate Birmingham and his wife, who sold the house to Mr. Edwards.

Mr. Edwards has had the broken glass in his smashed windows restored and is now living in the house with his wife, but has not yet brought into it his children by a former marriage. A policeman has been constantly on guard, since protection was requested from the police commissioner, Grover A. Whalen, by the N. A. A. C. P.

Segregation-1929

Ohio

PRESS
CLEVELAND, O.

JUN 28 1929

NEGRO TO WAR ON SEGREGATION ASSERTS LEADER

Dr. Lucas Tells Delegates It Is Health Menace to Cities and Unconstitutional

The Negro segregation law is un-American and unconstitutional.

This was the indictment of Dr. George W. Lucas, president of the New Orleans branch of the National Association for the Advancement of Colored People, who addressed the 20th annual conference of that body at the Mt. Zion Congregational Church today.

"Part of the $200,000 fund which we are raising here will be used to fight the segregation law wherever it exists," Dr. Lucas said.

"As a physician I know that segregation of the Negro causes tuberculosis and endangers the health of the entire population of a city.

Menace to Health

"For wherever the Negro is segregated, the city never makes any improvements, which reacts on the health of the people," Dr. Lucas asserted.

"These unsanitary conditions breed crime, which also endangers the rest of the population," Dr. Lucas explained. "Certainly it is a stigma on any race or any people that they are considered not fit to live with other people. It is like the ghettos of Europe."

Dr. Lucas led the fight against the segregation law in New Orleans and Louisiana. After carrying it thru the lower courts, he took it to the U. S. Supreme Court in 1927, where it was declared unconstitutional.

"The Negro should return to the South to battle for his right to vote and should urge Congress to submit an amendment to the people, whereby apportionment is based on suffrage rather than on citizenship," said Judge Ira W. Jayne of the Wayne County Michigan Circuit Court in an interview today. He will speak at the mass meeting to be held tonight at Mt. Zion Church.

The training of the Negro race in this country is in the hands of the Negro woman, Mrs. Sallie W. Stewart, president of the National Association of Colored Women, who will talk tonight at the mass meeting, said today.

Negro Woman's Burden

"The Negro woman of today must shoulder the burden of rooting out the undesirable traits left from slave days and bring about such training as will refine and develop the native talents of the Negro to maximum efficiency," Mrs. Stewart stated.

That the work of the association has changed public sentiment in the United States in the field of race relations will be explained by William Pickens, field secretary, in his talk tonight.

Isadore Martin of Philadelphia will preside at this meeting, the Rev. D. Ormond Walker will give the invocation and the Rev. Stanley Grannum the benediction.

MOB ATTACKS ON TOLEDO HOME

Brings Protest Letter From N. A. A. C. P.

News

New York Sept. 13.—Mob attacks in Toledo, Ohio, on the home of a colored man and his family , Ozie Benson, in the course of which every pane of glass in the house was smashed and the members of the family endangered, and subsequent firing in the house, have brought a sharp letter to Mayor W. T. Jackson from a committee of colored citizens, members of the Toledo Branch of the National Association for the Advancement of Colored People. The letter alleges that no arrests were made, that police officers made no attempt to disperse the mob, and that the life of the seller of the house had been threatened. 9-21-29

The letter ,sent August 27, states that: "Every pane of glass in the house, front, side and back, was broken and more than 25 pieces of brick thrown into the house, one striking Mr. Benson's sister as she held her small child in her arms, and narrowly missing the child.

Louisville Ky

"The viciousness of the mob and its premeditation was shown by the presence of a flare stuck in the window in order that its murderous temper might be more accurate.

"Mr. Benson said nothing to the mob. He made no threats and offered no resistance, depending upon the impartiality of the law to protect him, his family and property. Since that attack, the house has been fired, doing damage to the extent of two or three thousand dollars, and efforts to obtain estimates to facilitate repairs have been resisted by the mmediate neighbors.

"These attacks upon Mr. Benson were made because Mr. Benson is a colored man, one of the neighbors stated.

"We feel that an official investigation ought to be made and at once. No arrests have been made at all. It is alleged that the policeman and plain clothes man on the night of the murderous attack, made no efforts to disperse the crowd and that wooden crosses were burned in the backyard in their presence, without the officers checking the trespassers.

"It is further alleged that the stenographer in Law Director Ritter's office threatened the life of Mr. Carman, who sold the house, by saying that he ought to be tarred and feathered and lynched."

The letter asks that an official investigation by made by the Mayor that the official if guilty be dismissed and that the city of Toledo support the colored citizen's constitutional rights. The signers of the letter are: W. Payne Stanley; Attorney B. H. Fisher, Mrs. Lucky Spurlock, J. A. Roberts, Rev. C. A. Ward, Rev. B. F.McWilliams, H. J. Miller, Secretary Indiana "6"; Everett Johnson, Douglass Center, Cornelius Edward, Editor Observer, and Everet W. Johnson, Executive Secretary, Frederick Douglass Community Center.

JUDGE THROWS OUT PROPERTY CASE BATTLE

Chicago Defender 12-7-29

Whites Lose Fight After Six Years Controversy Over Segregation

COLUMBUS, Ohio, Dec. 4.—ANP—The case of Joseph E. Bulen against Daisy Hall Rice, which has been pending in our Common Pleas court for over six years, and in which the plaintiff, backed by the Columbus Real Estate Board, sought to enfore against the defendant a vicious condition printed into the deeds of The Bulen Main Street Allotment, to the effect that no lots should ever be sold to a person with an admixture of African blood in their veins, was brought to trial this week under the guidance of Alexander H Martin of Cleveland, Ohio, who appeared as counsel for the defendant.

The defendant purchased the property in the allotment seven years ago. It is one of the nicest residential properties in the neighborhood being a brick house of excellent appointments and valued at upwards of $25,000. She has lived in Columbus all her life and has conducted a highly successful business on High street, near the Neil House, for many years.

All the lots in the allotment have been sold, and no complaint is made by any of the neighborhood owners with reference to, or because of the holdings of Mrs. Rice therein. Nevertheless, action was brought to court to oust Mrs. Rice from her holdings, the contention being that a Negro could not purchase and hold the lot in question because of necessary operation of the aforesaid condition, to defeat his title.

The case was brought to trial before Judge Cowan, of Belmont County, sitting by designation in Franklin County. Counsel for the plaintiff, relied strongly upon certain decisions from various slave states where such restrictions have, to some extent, been upheld, and especially relied upon decisions of the courts of the District of Columbia. At the close of the case for the plaintiff, Mr. Martin, as counsel for the defense, interposed a motion for a directed verdict on the ground that there was no law applicable to the citizens and property of Ohio that would justify the court in entertaining the case as made upon the pleadings and the facts adduced in evidence on behalf of the plaintiff.

Numerous cases were cited to the court in argument, interpreting appropriate sections of the State and Federal constitutions, and the legislation of congress bearing upon the status and rights of the colored citizens Judge Cowan, after due consideration sustained Mr. Martin's motion for a directed verdict and turned the case out of court.

OHIO COURT SAYS JIM-CROW DEEDS INVALID, ILLEGAL

Woman Keeps $25,000 Home By Order Of Judge

Journal and Guide

Columbus, Ohio.—Joseph H. Bulen a white man, backed by the powerful Columbus Real Estate board, failed in his attempt last week to have Mrs Daisy Rice, colored, ejected from her $25,000 home in the exclusive Bulen Main Street Allottment, when Judge H. R. Cowan dismissed the case from the Franklin county common pleas court. 12-7-29

The case, which has been pending for six years, grew out of a clause printed in the deeds to the addition which stated that no lots should be sold to persons with an admixture of African blood.

Norfolk, Va.

Mrs. Rice purchased a lot there seven years ago and erected a brick house valued, with furnishings at $25,000. All the lots in the addition have been sold and no complaint was made by any of the purchasers on the holdings of Mrs. Rice, but, following out a fairly well defined policy which has spread all over the country, action was brought to eject Mrs. Rice, the contention being made that a Negro could not purchase and hold the lot in question because of the necessary operation of the restriction clause.

Quote D. C. Decision

Attorneys for Bulen and the real estate board cited cases in Southern states where such clauses had been upheld and especially relied upon the cases decided in 1927 in the District of Columbia which did not uphold the clauses absolutely, but which side

stepped the issue, leaving the matter still open.

Alexander H. Martin, of Cleveland, attorney for Mrs. Rice, moved for a directed verdict on the ground that there was no law applicable to the citizens and property of Ohio that would justify the case of the plaintiff.

as any damages which the court might assess.

National Fight on Negroes

In speaking of the case afterwards, Mr. Martin commented as follows:

"Our people should realize that there is now a national organization of real estate men who are giving special attention to this matter of segregating colored people by trying to prevent them from buying certain properties.

"In as much as the source of all these suits is the desire for gain--that the courts will require every plaintiff to restore to the defendant when it becomes generally understood whose property is being forfeited, what said defendant has put into the property, as a condition precedent to the right of the plaintiff to stand in court, then this sort of action will no longer be be brought. This, because the alleged damage is purely imaginary, fictitious and unsubstantial."

Mrs. Rice has lived in Columbus all her life and has conducted a business on High street, the city's main downtown business thoroughfare, for many years.

Judge Cowan granted the motion and dismissed the case. In his remarks, however, he stated that even in states where the restriction had operated, it has always been recognized that colored people, if ousted, must receive from the plaintiffs full reimbursement for the money they have put into their properties as well

Segregation - 1929

Oklahoma

OKLAHOMAN
OKLAHOMA CITY, OKLA.

FEB 14 1929

NEGRO ZONING PLAN DELAYED

City Commission Defers Action on Redistricting Of Undertaking Parlors.

The threat to move negro undertaking parlors on the east side into industrial districts occupied by white persons agitated the city planning commission Wednesday, and it formulated a policy as a result.

No rezoning of a district will be undertaken by the commission while a question affecting the district is before it, the commission decided. Attorneys for negro undertakers asked that the district in which their clients' businesses are located be rezoned so that removal would be unnecessary. The case ordering the negroes to move was won by the city in the supreme court, but it still is before the court on a motion for a rehearing.

The commission settled the controversy over the building of a hospital on Thirteenth street just west of Robinson avenue by refusing to accept a plan which would have made it possible to start work on the building at once. Dr. Marvin E. Stout, who wants to build the hospital, will have to wait until April, when plat restrictions expire, commissioners indicated.

No more triangular tracts will be accepted by the commission as parks it was decided. The commissioners said they agreed with the city council in the rejecting of a small triangular tract in Lincoln Terrace addition, turned down by the council because $9,000 taxes was held against it

Segregation - 1929

Pennsylvania.

FLAMING CROSS AND STONES GREET FAMILIES

10/5/29

PHILADELPHIA, Pa., Oct. 3. — Twenty-five policemen were called out Saturday night to keep protective vigil over a family that incurred the displeasure of a Nordic neighborhood by being the first Negro group to move into it.

The appeal for the protection was made to the 61st and Thompson streets station by Matthew Harris, who, with his wife and daughter, had moved into 1415 North 55th street.

A crowd of nearly 1,000 men, women and children, resentful and cowardly, stoned the house just a few minutes before the police arrived.

Mr. Harris told the police that he had also received several anonymous letters ordering him to get out.

NEW YORK, Oct. 3.—A Negro family moved yesterday afternoon into a two-story house in 169th street, between 111th and 112th avenue, Locust Manor, a white community of Jamaica, Queens. They met with the usual silent treatment throughout the day, but at 10 o'clock last night they were terrorized by the burning of a cross on their front lawn and stoning of windows by a "reception committee."

Waiting until they had retired, the "committee" put out the lights of the block, set the huge cross aflame and then began stoning the windows. Passersby telephoned the police. Before reserves arrived from the Jamaica Precinct, the vandals had broken every window in the house, and had escaped in automobiles.

None was able to get the license numbers of the cars. Police destroyed the cross and made a futile search for the mob. It is believed the stones were gathered in the near vicinity where sewer construction is in progress. The timbers used in making the cross, which was more than 15 feet high, are similar to those used in the same construction work.

Despite the attack and burning of the cross, the Negroes who refused to reveal their names, said they would continue to occupy their home under police protection. Police believe the attack was staged by a hastily formed committee with the aim of preventing further inroads into the community. Residents of the block denied knowing any of the vandals.

Segregation - 1929

Tennessee

FOREVER AGAINST ENFORCED RACE SEGREGATION

Baptist Union Review

Regardless of the advocates, well disposed people, who sanction segregation as economically advantageous, socially pleasing and the sophists who delight in telling us it should be against our race and personal pride to go where we are not wanted, and that we feel more at home when we are with our own people. That may be diplomacy or mere policy; our contention is that American rights and privileges are crossed and bartered when segregation on account of race or color is enforced, even when the odious thing is voluntarily chosen. We want, yea, we demand every right political, social, economic, industrial, religious, exactly as they are accorded other Americans. We ask no special consideration because of race identity.

6-15-29

We are forever opposed to segregation on account of race or color because it degrades the standard of our personality, lowers the level of our manhood, despoils our pride and casts sacrilege upon what is individual sanctity. With us it is a matter of principle, fundamental and eternal, not a question of alternatives, convenience or inconvenience. We just do not feel right under the pressure of segregation; it goes against the grain of our ambition for liberty, it antagonizes our conception of equality—it both insults and violates righteous public sentiment and an essential of a Christian civilization.

Nashville Tenn.

Till education and religion have done their work we shall have to accept the insult and take as matters of expediency separate institutions, and bow to iniquitous laws and rules; but while we accept the discrimination we declare that we do not receive them—our yielding is by no means spontaneous—it is merely mechanical and we shall not endure the insults one minute longer than we are compelled to do so. Ignorance, prejudice, ill will, of course, are at the bottom of enforced racial segregation—an unholy brood banishable only by people of the right knowledge, the right attitude the right spirit.

MOTHER, SONS IN COURT.

Must Explain Alleged Attempts to Intimidate Negroes.

Commercial Appeal

A mother, two sons and two neighbors will [illegible] today for thir alleged attempts to make a negro family move from a residential district regarded as a white neighborhood.

3/5/29

Mrs. Ethel Baron, 35, 1495 Miller Street; Morris and Leo Baron; John A[illegible] and Lee Sherman, 1575 Southern Avenue, were arrested by Detective Sergts. Morris Soloman and C. P. Caldwell and were charged with shooting in the city limits and shooting with intent to kill.

Memphis Tenn.

Shots were fired into the home of Emmett Chaney, negro, 1487 Miller; a death note, signed K. K. K., was reeched by him, and on March 1 his home was set on fire. When this last occurred fire marshals started an investigation and then the detectives were called in. The five people held are said to have made statements regarding their part in the unsuccessful attempts to rout the negroes.

Segregation - 1929

Texas.

JOURNAL
DALLES, TEX.

FEB 4 1929

Ask City to Prevent Negro Encroachment

City aid was asked by a group of property owners from the 2600 block on Tanner street Monday to prevent the encroachment of negroes into that territory.

A delegation appeared before the City Commission with a petition which declared that a real estate firm is erecting rent houses and houses for sale to negroes on a near-by block, and the group asked that the City Commission prevent the occupancy of this white territory by negroes.

They declared that living conditions for the whites would be made intolerable, that racial friction would result and that property values for the whites would be lowered.

The group was asked to confer with the City Attorney for the purpose of drafting a segregation ordinance which would bring about the required relief.

EXPRESS
SAN ANTONIO, TEX.

JAN 10 1929

NEGRO SEGREGATION CASE ORDERED TO BE RETRIED

AUSTIN, Tex., Jan. 9.—A $75,000 damage suit brought against the city of Dallas by property owners who claimed that a city ordinance segregating negroes to certain sections of the city had caused a depreciation of their property rights, will be tried over, under an opinion handed down by the Commission of Appeals of the Supreme Court today.

The trial court entered a judgment in favor of the city, the Court of Civil Appeals reversed and remanded the case, and this action was upheld. Garner W. Brice and others were plaintiffs, alleging as a basis of their suit "depreciation of property rights to certain lots through enactment and enforcement of an ordinance whose violation is denounced as crime punishable by fine." They sought $25,000 actual and $50,000 exemplary damages.

JOURNAL
DALLES, TEX.

JAN 10 1929

Race Segregation Case To Be Given New Trial

The right of the city of Dallas to enact and enforce race segregation ordinances soon will be tested out in a local district court, it was said by H. P. Kucera, Assistant City Attorney, Thursday. News was received of a State Supreme Court ruling in which the city was upheld in a civil suit styled City of Dallas vs. Garner W. Brice et al.

This case, a suit against the city of Dallas for damages, arose over racial segregation on Thomas avenue. The local district court held that the city should have made all signers of the segregation agreements parties to the suit and ruled against the city. The case on appeal was reversed and the judgment of the appeals court was upheld by the Supreme Court.

The segregation ordinances are based on agreements between property owners that they will not sell, rent or lease to negroes and provide a heavy penalty.

A new trial was ordered by the higher court.

Texas Court Hits Segregation

East Dallas News
12-5-29

AUSTIN, Texas.—Laws of Texas and ordinances of cities of Texas attempting to provide for race segregation are unconstitutional and void, under a decision of the Supreme Court of Texas upholding a decision of the Dallas Court of Civil Apepals Friday.

Kaufman, Texas.

The supreme court has just dismissed for want of jurisdiction, the apepal on writ of error in the case of City of Dallas v. Liberty Annex Corporation.

Ordinances of the city of Dallas attempting to provide race segregation and State laws authorizing their enactment were declared violative of the due process provisions of both the State and Federal constitutions.

TIMES HERALD
DALLES, TEX.

DEC 4 1929

COLOR LINE NOT RECOGNIZED IN CITY'S ZONE LAW

Dallas' zoning law does not recognize or attempt to enforce segregation of the races. At least that was the verdict voiced by the board of zoning adjustments late Tuesday afternoon when it granted a permit to I. S. Johnson to erect a storeb uilding at 3500 Edgewood, a dwelling district, over the protests of Mrs. C. L. Dorsey and Mrs. E. M. Riley.

"We have had protests against the erection of this store by Johnson in a white district," Victor H. Hexter, chairman of the board, explained. "We have no jurisdiction in a dispute between the races. We are without authority to say where the color line shall be drawn."

The permit was granted, Hexter said, on the grounds that it would work an undue hardship on Johnson if he were not permitted to use his land.

The state Supreme court recently knocked out city ordinances seeking to enforce segregation of the races.

NEWS
Dallas, Tex

NOV 24 1921

Segregation

The Supreme Court of Texa merely discovered the Constitutio of the United States in its decisior that denied to the city the right tc use its police power to enforce pri vate covenants agreeing not to con vey a piece of property to negroes for residential purposes or to us it for such purposes. It coulc scarcely have held otherwise unde the general attitude taken by th Federal Supreme Court.

The difficulty is in getting a Fed eral Court to take judicial notic of the fact—which certainly is fact—that intermingling of th races, when members of one rac intrude into the established resi dential areas of another, tends tc breach of the peace, violence anc outlawry in general. If the courts would recognize that, the theory of police power might have a leg to stand on.

In all these cases, however, some white man is at fault. Directing violence at the negro tenant is indefensible. He is being held up by a white landlord for higher rent than a white man would pay for like property. That is why he is put there—that and the fact that he finds it hard to find property elsewhere that is habitable. The zoning ordinance affecting building ines should be maintained. And he name of every white landlord who causes trouble in this way should be public property. He is to blame. He is the real offender.

Segregation — 1929

Virginia

NEWS-LEADER
RICHMOND, VA.

FEB 16 1929

Filibuster Halts Passage Of Richmond Segregation Bill

Christians Split—White Pastors Advocates Law—Colored Pastors Oppose

RICHMOND, Va. — In a four-hour session which lasted until after midnight, a filibuster defeated efforts of the City Council Committee on Ordinances to approve a city-wide segregation act, Monday.

Sunday, 1000 persons, all elements of the population and denominations, met at Hood Zion Church and pledged their efforts to defeat the measure.

Efforts to postpone for a further hearing were defeated on a tie vote, and a motion to recommend for adoption was lost on a similar vote. Alderman Marx Gunst, chairman of the committee, had announced that he had to leave the city at 1 o'clock, and in order to hold the committee together until his departure, when the proponents of the motion to recommend would have a majority, Councilman R. B. Liggan started a filibuster.

Quorum Is Broken

Following an unsuccessful attempt to adjourn, Councilman Thomas B. McDowell, James H. Britton and Alderman Charles W. Moss, followed Gunst out of the Council Chamber and a quorum was broken. The sergeant-at-arms was directed to bring back one of the members, but they had left the hall and could not be found, so adjournment was declared until the night of January 31 at 8 o'clock.

Race Speakers

Joseph R. Pollard, lawyer, the Rev. W. L. Ransome, the Rev. W. T. Johnson, the Rev. R. M. Williams, colored pastors, each spoke against the ordinance. Each pointed out that the Negro was not seeking social equality, but wanted fair and sanitary living conditions. If waste places were built up for comfortable housing the colored people would prefer to live among themselves. They are not seeking to encroach upon white sections.

White Speakers

Rev. S. R. Orrell, pastor of the East End Baptist Church, begged the committee to act. He said Negroes weer leaving better homes to get into white neighborhoods. The speaker declared there would be a time when the Negroes would be occupying Monument avenue homes. "Let the rich Negroes build homes for their humble brethren," he said. "That will go a long way toward relieving the situation. Many members of my church," he said, "are broken-hearted about the matter, for fear they will have to give up their homes because of the inroads of the colored man."

A white school principal said Negro schools, recreation centers, streets and homes were on a par with those of white people, although the amount of taxes paid for these advantages was a mere bagatelle, as compared to the 97 per cent paid by the whites.

SEGREGATION AS AN ASSET

Segregation is one of the Negro's greatest handicaps. But that wicked creature, in his ambitions to crush us, has favored us.

It has been the policy of whites to place us in one section of the city and try to keep us there. But they did not know that we would be better able to elect representatives to the law-making bodies and get control of some of the government machinery, as a result of that segregation. Consequently Negroes have been able to wield some influence in the government.

While that segregation was going on we were forced to establish businesses in our sections, thereby training us to operate business, and to patronize our own.

Sufferers together will be united in the struggle for existence.

PLAN EARLY MOVE ON SEGREGATION

Negroes Here to Seek Quickest Route to Get Decision Soon.

The shortest and quickest route to defeat the segregation ordinance will be sought by Richmond Negroes, according to a decision reached at a conference of their attorneys.

Just what form the legal action against the ordinance will take has not yet been decided, but every effort will be made to reach a speedier decision than was obtained when a similar ordinance, enacted here some years ago, was declared unconstitutional by the supreme court five years after the initial court proceedings.

The first steps to test the constitutionality of the ordinance will be taken as soon as Attorneys Alfred E. Cohen and Joseph R. Pollard have completed a study of every angle of the ordinance.

Both attorneys participated in the fight against the previous segregation ordinance that was declared unconstitutional.

Funds to carry the fight through to afinish have been assured according to opponents of the measure. Every local Negro organization has pledged financial support and no outside aid will be needed. Joseph R. Pollard, Negro lawyer, has said that the disagreement regarding the ordinance is regarded by the Negroes as a purely local question that can be settled by Richmond people without seeking outside aid. He expressed the hope that some legal avenue might be found that will eliminate the delay that would follow the institution of action in the lower courts.

Mayor Bright has until Tuesday to attach his signature to the segregation ordinance and may sign the measure today.

attorney, have been formally employed by the Negroes to conduct the fight against the segregation ordinance. A third attorney, whose name has not been disclosed, has been asked to take part as associate with Attorneys Cohen and Pollard.

The cost of fighting the Woody ordinance has been underwritten by the civic, social and religious Negro organizations of the city, and on Monday committees appointed for the purpose will begin a city-wide canvass among the Negroes for contributions to the legal war chest, Attorney Pollard said today.

Support for Fight.

"We have received the most universal support ever given a movement among our people here. Every Negro organization in the city has pledged its support, and many of the white people have offered to share in the expense of fighting the ordinance," said the attorney.

Attorney Pollard wired last night to James Weldon Johnson, secretary of the National Association for the Advancement of Colored People, that the fight against the ordinance will be carried on and directed by Richmond Negroes through their organization.

A telegraphic request accompanied by a threat of court intervention was received by Mayor Bright yesterday afternoon from Johnson within an hour or two after the segregation ordinance had been placed in the mayor's hands for his signature by the city clerk.

The telegram from Secretary Johnson pointed out that two United States supreme court cases have held that enforced segregation by municipal ordinance is unconstitutional. He asked that Mayor Bright veto the ordinance in the interest of economy.

Mayor Answers Message.

"We wish to advise you," said the message, "that we will consider it incumbent upon us, should the ordinance be signed by you, to take such legal action as will nullify this latest attempt to do what the highest court in the land has said is unconstitutional."

Mayor Bright's reply was as follows:

"The race segregation ordinance will be approved by this office. The ordinance is drawn in the best interest of both races. Those who oppose it will be entirely within their rights in having the courts pass upon its constitutionality."

Richmond Negroes have determined that the fight to have the ordinance voided will be carried on by local attorneys and directed from Richmond. Attorney Pollard's telegram to Secretary Johnson is taken as a notice to the national organization that the local Negroes are fully able to carry on their own battle against enforced segregation and take it to the highest courts.

The support of the national organization of Negro Elks was pledged by Robert J. Nelson, director of the civil committee of the Elks, at a mass-meeting held in True Reformers hall here on Tuesday night. The same meeting witnessed the launching of the campaign to carry on the fight against the ordinance into the courts of the state and the nation.

Richmond, Va., News-Leader
Friday, February 15, 1929

NEGROES HERE PLAN FIGHT ON SEGREGATION

Conference With Counsel to Determine Form of Legal Battle Is Called.

COST UNDERWRITTEN BY LOCAL ORGANIZATIONS

Richmond Negroes will start their fight against the segregation ordinance this afternoon with a conference of their attorneys to determine the form the legal battle against the ordinance will take and the court in which proceedings will be started.

Alfred E. Cohen, Richmond attorney, and Joseph R. Pollard, Negro

NEWS-LEADER
RICHMOND, VA.

JAN 31 1929

TO ASK DELAY ON SEGREGATION PLAN

Ministerial Union to Seek Council Delay on Acting on Move.

The Ministerial Union of Richmond will petition city council to postpone action on the proposed segregation ordinance until May 15, and also to appoint a commission to work out a constructive program for the satisfactory housing of both races.

Resolutions to this effect were adopted at a special meeting of the Ministerial Union held today and will be presented at the meeting of the city ordinance committee tonight by a committee appointed by the union for the purpose.

The resolutions adopted by the Ministerial Union today are as follows:

First. In view of the feeling that has been aroused, both among the Negroes and the white population, in connection with the proposed segregation ordinance, be it resolved, by the Ministerial Union, That we petition

the city council to postpone action upon this ordinance to a date not later than May 15, 1929, to allow opportunity for receiving the facts rendered by a survey now being conducted by the Richmond council of social agencies and of other civic organizations that are making a study of this priblem;

Second. That, regardless of the action that the council takes upon the ordinance, the Ministerial Union petitions the council to appoint a commission to work out a constructive program for the satisfactory housing of both races. Be it further resilved that the president appoint a committee to represent the Ministerial Union at the meeting of the ordinance committee tonight.

The inter-racial relations committee was appointed to represent the union at the meeting of the committee tonight.

Council chamber is expected to be packed with representatives of both races at tonight's meeting. While the ordinance committee meets to consider a report forwarded to it from the city zoning board of appeals, it is expected that the segregation ordinance will be brought up under a suspension of the rules.

If the segregation ordinance is opened up again for discussion, it is anticipated that no vote will be taken by the ordinance committee tonight. Discussion of the ordinance has been city-wide and the committee will probably limit its session tonight to hearing both sides of the matter and taking definite action at a later date.

In order to revive the segregation ordinance tonight, it will be necessary for eight members to bepresent and suspension of the rules will require six votes. The motion to recommend the ordinance at the last meeting of the committee was lost by a tie vote.

TIMES DISPATCH
RICHMOND, VA.

JAN 28 1929

Says Justice Is Solution of Segregation

Improvement of Negro Sections Is Urged by Dr. Beverly Tucker, Jr.

Would Help Whites

Unhygienic Conditions of Some Districts Spread Disease, Asserts Rector

"The surest safeguard to segregation would be to do plain justice by the Negroes—clean up the districts in which they live at present by providing decent streets and sewerage, and then plan for their expansion into some new suburban district where the same public faciliites are afforded to the Negro population that are given to the whites under similar conditions," the Rev. Beverley D. Tucker, Jr., rector of Saint Paul's Episcopal Church, said in his sermon yesterday.

Dr. Tucker in his sermon, delivered on the Sunday nearest to St. Paul's Day which was celebrated on Friday, last, as the birthday of the parish, sought to arouse his congregation to some high ideal, and he specifically selected the situation created by the introduction of the segregation ordinance before City Council.

His text was from St. Paul's Epistle to the Galatians, the third chapter, twenty-eighth verse: "There can be neither Jew nor Greek, there can be neither bond nor free, there can be no male and felame; for you are all one man in Christ Jesus."

After tracing the history of the church as a history of progress toward this ideal of unity and brotherhood, Dr. Tucker said:

Sermon in Part.

"Never was there an age, in which the social consciousness was so thoroughly awakened as in this present age—never was there abroad so much of the spirit of brotherhood. And yet we are only beginning to learn of the many barriers to be broken down before the ideal of human society can be attained: barriers of poverty, barriers of vice, barriers of heredity and environment. But there is one particular barrier, which confronts our own country, especially our own Southern civilization, which staggers our optimism that St. Paul's prophecy is soon to be fulfilled—that in Christ Jesus there can be neither bond nor free.

"I speak, as you doubtless surmise, of that racial and social barrier that separates between our white and our colored populations. There is a great gulf fixed and fortified by the first instincts of our nature—a gulf of racial integrity which we cannot ourselves cross nor can we allow others to cross. And yet as we send our missionaries into other lands to establish the higher unity of Christian Brotherhood—even send our missionaries to Africa—it must give some shock to our idealism to ask what are we doing as a Christian Church and community to carry out the plain dictates of brotherhood—the elementary principles of justice and mercy—in our relations with the Negro population which lives in our midst.

A Natural Segregation.

"There is a natural segregation of the two races in their social and racial integrity which we are committed to preserve for what we believe to be, the best interests of both races. That is a higher loyalty that we do not argue—we simply assume. It is the unwritten law of every Southern community, and in the main is carried out with splendid understanding on the part of the leaders and the members of both races.

"Where I believe we fail is in doing equal justice to the Negro population in the provision of the public utilities of the community. One has only to make a casual visit to the sections of the city where most of the colored population is naturally segregated to reach the conclusion that we do not make an equal provision in the way of streets and sidewalks, of sewerage and lighting. It is inevitable under such conditions that there should be a gradual movement among the colored population to secure more adequate housing in those sections of the city where better provision has been made for the white population.

Two Sides to Question.

"There is at present a segregation ordinance before the City Council to regulate this situation. I recognize that there are two sides to the question and that much feeling has been aroused on both sides. The chief weakness of the ordinance is that it only seeks to regulate a situation that has already arisen rather than to provide a constructive solution of a condition that remains unchanged. The surest safeguard to segregation would be to do plain justice by the Negroes—clean up the districts in which they live at present by providing decent streets and sewerage, and then plan for their expansion into some new suburban district where the same public facilities are afforded to the Negro population that are given to the whites under similar conditions.

"If as a community we ever set ourselves to do justice to the Negroes in the matter of adequate housing, we shall have done far more to give expression to the reality of brotherhood than any amount of sentimentalizing. Moreover, the failure to do justice has its inevitable reaction upon ourselves.

Helping the Diseased.

"We are already beginning to appreciate this fact in some instances. Our boards of bealth recognize that physical diseases among the Negroes cannot be disregarded without imperiling the health of the white population. Many of the worst diseases that affect our homes have their origin in the unhygienic conditions of the Negro district. Tuberculosis, for example, does not observe the color lines. This is a clear vindication of the principle that if we do not give justice and mercy we shall lose them.

"As we set before ourselves the ideal of St. Paul, 'in Christ Jesus there can be neither bond nor free,' we may despair of ever bridging the gulf that seems to be fixed, but it is not for us to be anxious for the morrow nor to solve all the problems of the future—sufficient for the day is it to take one actual step that leads towards that ideal knowing that the time and season of Christ's appearing are in God's hands who will use us in proportion as we give ourselves for the establishment of His kingdom upon the earth."

Segregation—1929

Virginia

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FEB 1 1929

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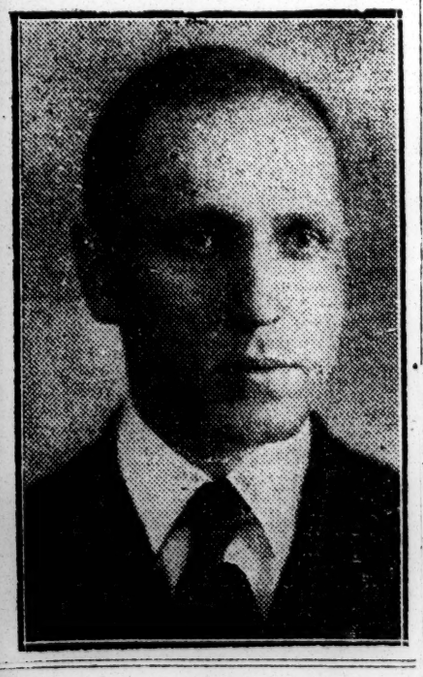

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Current Events Speaker Declares Pending Measure Is Not What City Needs

Predicting the "largest Negro exodus in years" if the proposed segregation ordinance is put into effect, Dr. Douglas S. Freeman last night told his class in Current Events that "the general reason for the infiltration of Negroes into white neighborhoods is an economic reaction, not a social aspiration." This suggested exodus would affect all types of business, he told his audience at the William and Mary Extension School.

That "the housing problem is the reason for the Negro change of habitat" was argued by Dr. Freeman, who explained:

"There are approximately 60,000 Negroes in the city. Nearly 30 per cent of our population resides in one-tenth of the city's area. Fifteen per cent of the Negroes reside in the narrow confines of old Jackson Ward."

Dr. Freeman conceded the chief complaint of Negro spokesmen when he said: "Negroes have not received their share of civic improvements. The major improvements made in Negro sections have been made to provide a thoroughfare to other parts of town."

Resume of Rebellion.

Reverting to history, he gave a resume of the Nat Turner Rebellion, of Southampton, which he called the turning point of the race in the South. He sketched what he said was the attitude toward the Negro since 1831; for before that time, he said, "there was little restriction." After the Turner massacre until the War Between the States there was great restriction, and from 1869 until 1902, the speaker said, there was political equality. In 1902 came the "Jim Crow" law, now regarded more as a custom than a legal mandate. Racial integrity measures passed through the efforts of the Anglo-Saxon clubs, headed by John Powell, the pianist, also were mentioned by Dr. Freeman, who recalled the first racial segregation measure introduced in Council here in 1910, by Councilman Vondelehr, passed and then voided by a Supreme Court decision.

After enumerating five Negro sections of the city, Dr. Freeman told of the gradual shift of Negro residence and suggested that "before segregating the Negroes into Negro sections, we should investigate the effects of such a law, if it can be legally passed."

Says City Changing.

Referring to the Woody ordinance, now before Council, Dr. Freeman continued, in part:

"Save for a few statically desirable neighborhoods, the whole city is changing. What is going to happen when the whites outgrow the type of houses in which they now live? The policy of wisdom is to take declining white neighborhoods and sell them to the Negroes. Where these districts touch the white section will, of course, be the point of contact and of friction. It is hard to avoid this, but a barrier of business, often has a double advantage. It serves as an enhancement to white property and a barrier.

"The invasion of Negroes into a white neighborhood is bound to have some unfortunate phases. Individual dwellers are often in a precarious situation. Now it is the city's duty to step in and buy the property from the white residents; or at least, that is one solution of the problem. The law cannot help so why enact a law to stir up animosities." Continuing in this vein, Dr. Freeman said that the city could procure an extension of the condemnation laws, buy the white property from a revolving fund and save the property to sell or use as a park.

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He presented C. C. Crouch, who spoke at two former meetings. Mr. Crouch declared the proposed ordinance would answer all demands and tend to prevent further encroachment of Negroes upon white territory. "The situation is tense," he said, "and should be alleviated."

Major Ernest S. Cox, author of "White America," a traveler of note, and a student of racial conditions throughout the world, expressed belief that the ordinance might prove eminently satisfactory to both white and colored citizens. There are only a few in both races who desire such mixture of living conditions as that represented by some of the speakers, he observed, and, while these few are in a very small minority, they cause a lot of trouble.

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The committee's report will be forwarded to Common Council Monday night. It was said last night an effort would be made at this time to table

Segregation—1929

Virginia

TIMES DISPATCH
RICHMOND, VA.

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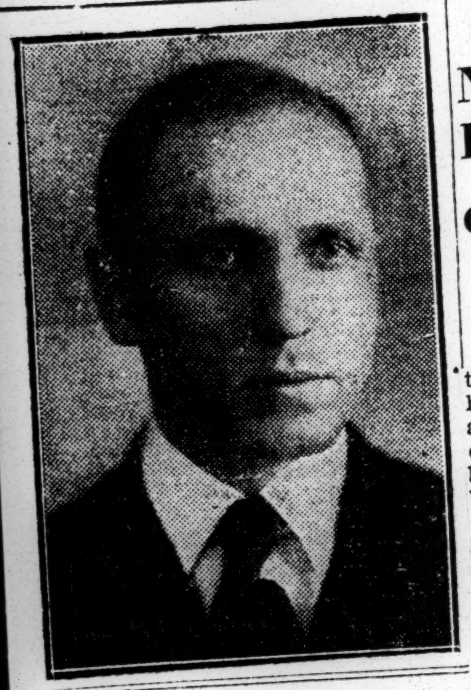

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Segregation - 1924

Virginia

Injunction Halts Operation of Richmond Segregation Act

RICHMOND, Va. — Operation of Virginia's residential segregation ordinance was halted Saturday when J. B. Deans filed a petition in the United States District Court, asking an injunction to restrain the city from enforcing it.

The ordinance recently passed forbids colored people to occupy residences in blocks occupied by a majority of white persons.

The segregation ordinance reads in part as follows:

"That in order to preserve the general welfare, peace, racial integrity, morals, and social good order of the city of Richmond, it shall be unlawful for any person to use as a residence any building on any street between intersecting streets, where the majority of residences on such streets are occupied by those with whom said person is forbidden to intermarry by Section 5 of an act of the General Assembly of Virginia entitled," etc.

Deans was represented by Alfred E. Cohen and J. R. Pollard, attorneys, and contended that the ordinance is unreasonable and void as it contravenes his rights under the Fourteenthht Amendment of the Constitution.

Mr. Deans' residence is a dwelling at 633 North 27th street, purchased March 26 from Joshua R. Griffin.

The majority of those in the block are persons whom Deans is forbidden to marry under the Racial Integrity Act of Virginia.

Passed in 1924

Virginia's segregation law permits a ne of not less than $100 nor more than $500 recoverable before the police justices of the city, for each day's violation which shall constlitute a separate offense.

POLLARD AND COHEN, RICHMOND LAWYERS, CONFER IN NEW YORK

Status of Richmond Segregation and Democratic Primary Cases Discussed

Joseph R. Pollard and Alfred Cohen Richmond attorneys, who were associated in both the Richmond race residential segregation and the Virginia Democratic Primary cases recently signally won before Judge D. Lawrence Groner of Federal District Court of the Second District of Virginia sitting at Richmond, recently visited the National office of the National Association for the Advancement of Colored People in New York. The attorneys conferred with Louis Marshall, member of the N. A. A. C. P. National Legal Committee, who supervised preparation of the cases, and Arthur B. Spingarm, chairman of the committee and vice-president of the N. A. A. C. P.

Attorney Pollard is a prominent member of the Richmond bar. His brilliant legal talent has been persistently directed toward securing civil justice for his race. He was leading attorney in both these cases. Attorney Powell enjoys a successful practice in his home city, and is at best when defending or seeking to procure the rights of his race.

Because of his deep interest in the civil rights of the Negro and devotion in representing them in cases in which these rights are menaced, Attorney Cohen, is generally retained as associate in all cases of this kind by the Richmond colored group.

The lawyers were accompanied to New York by Dr. Leon A. Reid, chairman of the Citizen Defense Committee of Richmond.

RICHMOND SEGREGATION ORDINANCE GOES TO UNITED STATES COURT

New York, April 10—Jos. R. Pollard, who with Alfred E. Cohen, is acting as attorney in contesting the residential segregation ordinance recently enacted by the city of Richmond, Virginia, has sent to the National Association for the Advancement of Colored People a report of legal steps taken in the contest.

Messrs Pollard and Cohen submitted a motion for the granting of a preliminary injunction restraining the City of Richmond from enforcing the segregation ordinance. The City Attorney of Richmond, represented by Mr. Pollard, appeared in open court and submitted motion to dismiss the complaint. The motion has been docketed for a hearing on April 25, before Judge D. Lawrence Groner of the United States District Court.

In his letter, sending the documents to the N. A. A. C .P. for comment by its National Legal Committee, Mr. Pollard writes:

"We invite the criticism and comment of the Legal Department of the N. A. A. C. P. on our pleadings and procedure in this case, as we regard it as of the utmost importance to the constitutional rights of the citizens of this country."

The Richmond segregation ordinance, approved February 15 last, is being contested on the ground that it is unconstitutional and in contravention of the unanimous decision of the U. S. Supreme Court in the Louisville Segregation Case, won in 1917 by the N. A. A. C. P. By that decision all state laws or city ordinances establishing segregate residential districts are forever barred in the United States.

Segregation - 1929

Virginia

TIMES DISPATCH
RICHMOND, VA.

FEB 5 1929

Segregation Is Passed By Common Council; Only 2 Negative Votes

Measure Goes Now to Aldermen for Consideration; Full Concurrence Is Said to Be Indicated

Move to Reconsider Heavily Defeated

City Fathers Turn Deaf Ear to Pleas for Delay Voiced by Britton and Price; Action Is Desired

The segregation ordinance, as recommended by the Ordinances Committee, was adopted by Common Council last night by the vote of 17 to 2, despite earnest appeals by Councilman Lawrence T. Price and James H. Britton to postpone the vote for one month in order further to consider the housing problem in Richmond. The paper now goes to the Board of Aldermen, and little doubt has been expressed that the upper branch will concur in the action of Common Council.

Council recommitted an ordinance designed to change the stopping point of busses from the far to the near corner of intersecting streets, and an open session of the Streets Committee will be held to hear from members of the Retail Merchants' Association [illegible] the Grace Street Business Men's [illegible]ion, upon whose petition the [illegible] back.

[illegible]ons declared in their [illegible]ge would upset [illegible] An ordinance in the aggregate unsightly, insanitary and uncomfortable.

"If owners would look after the interests of the tenants," said Mr. Umlauf, "there would be fewer attempts at encroachment. Yet we must do something, and if owners will cooperate in this movement, there will be little to fear. Such an ordinance is earnestly to be desired."

Mr. English agreed with Mr. Umlauf. He, too, declared the better classes of Negroes had no fears from the operations of a segregation ordinance. "It will protect the black man and the white man as well," said the Clay Ward Councilman.

Councilman Gregory, of Jefferson Ward, said he hoped Council would pass the ordinance and relieve the city of the "menace that now confronts it."

Councilman Sullivan was moved to express his earnest wish that the [illegible]aper be adopted. "Only today," he said, "a Negro family moved into a house at the corner of Twenty-second and Broad Streets, right in the middle of a white neighborhood, and within two squares of St. John's Church, America's shrine. And, within recent days, other sections of Church Hill have been invaded by the Negro. A house once occupied by an eminent judge of this city, has been sold to a Negro, who now is occupying it. If something is not done quickly, no one can conceive of what may happen."

Reconsideration Is Defeated.

The question of reconsideration was defeated by the following vote: Noes Atkinson, Blake, Carpenter, Dickie, English, Greogry, Jewett, Ledbetter, Liggan, McDowell, Miller, Moorefield, Robertson, Sullivan, Tyler, Umlauf, Powell; ayes, Britton, Price. Mr. Williams was absent. The ordinance wos declared adopted.

The ordinance proposing a change in bus stops, recommended by the Street Committee against the protest of the Director of Public Safety, was recommitted to the committee, after letters from the Retail Merchants' Association and the Grace Street Business Association had been read. It was stated by the director that if the change were made, other changes in the traffic zones would follow, for under the proposed ordinance many

in on the ordinance fixing the salary of the secretary to the Richmond Port Commission at $3,600, instead of the present salary of $3,000. Members of the Committee on Dock, River and Harbor, headed by Chairman Harvey E. Atkinson, urged the increase upon the grounds of competency and efficiency. Council, however, by a vote of 10 to 9, refused to consent to the increase. It was indicated that the matter would be brought up again later in the year.

A large gallery assembled in Council chamber to hear the debate on the segregation ordinance and to witness the outcome of the discussion. When the paper was put to a vote there was apparently no negative voice. Immediately upon announcement of the vote, however, Councilman Price observed that he had been unwittingly "asleep at the switch."

He stated that he desired to have the ordinance tabled for one month, so further information could be obtained as to housing conditions and the real cause of Negro encroachment upon white territory. After some parliamentary maneuvering, it was finally agreed that the Leew Ward Councilman be given the opportunity of asking for a reconsideration of the vote, and upon that motion to express himself on the paper.

Britton Urges Delay.

His appeal for reconsideration was supplemented by Councilman Britton. Both the Lee Ward representatives expressed as favoring "some kind of segregation." But they did not believe the pending measure would answer the purposes intended even by its proponents.

"It is a social and economic problem, not legislative," asserted Councilman Price. "The passage of such an ordinance will be the beginning of the parting of the ways between the races. An alternative ordinance might be framed, after such a survey of the conditions as that proposed by repre[illegible]

[illegible]ens, who have asked for [illegible]n be secured," he said. Price read a letter Stewart Bryan, repre[illegible]amber of Commerce; Richmond Bar [illegible]m, Jr., of the Richmond Real Estate Exchange; the Rev William E. Hill, of the Ministerial Union; Richard W. Carrington, of the interracial group, and W. F. Robinson, of the Central Trades and Labor Council, asking for delay, pending the survey of housing and racial conditions, now under way. This paper was presented the Ordinances Committee, and discussed at several open meetings of that body.

Fears Racial Prejudice.

Mr. Britton said he favored "some method of segregation, but the pending ordinance is most important and far-reaching, and Council has not had time to fully consider it and digest its meaning. I believe this paper will tend to stir up racial prejudices," he said.

Opposition to reconsideration was voiced by Councilmen W. E. Sullivan, Edgar B. English, James H. Gregory, Jacob Umlauf and President Fred H. Powell. Each took occasion to assert that he was friendly to the Negro, and in adopting the ordinance he was expressing his friendship in no uncertain way.

"The better class of colored people do not wish to encroach," observed Mr. Umlauf. "They are forced in many cases to move, because the property owners fail to give them suitable and comfortable living quarters." He referred ot a survey of some years ago, when it was learned that the better homes in the Negro sections were owned by the occupants, while those occupied by tenants were

TIMES DISPATCH
RICHMOND, VA.

JAN 15 1929

PLEASED WITH EXPRESSION ON SEGREGATION PROPOSAL

To the Editor of The Times-Dispatch:

Sir,—I am thankful for, and greatly impressed with every paragraph that appeared in The Times-Dispatch on January 12 under the heading, "The Segregation Ordinance." I am sure every Richmond Negro who read it feels likewise.

After the meeting at True Reformer's Hall Tuesday night, January 8, and even before that, I was optimistic enough to believe, before the ordinance was put through (if it really happens) that someone, somewhere would look the issue squarely in the face, without the stigma of prejudice, and have guts enough to broadcast it in black and white.

Speaking for the modern Negro, we want fair play, and to get fair play it is necessary to go where it is being meted out. Thus we move into a residential section, "next to white folks," to get a break that we could realize in no other way. This week they dumped red mud and big rocks out my way, and mashed it down. If I was "next to the white folks," I would have a nice paved street to walk on instead of a detour through Dismal Swamp.

That article was right. One did not have to dissect its genuineness to find the quality mark. It blazed forth from every word.

Theodore W. Jones was somewhat perturbed because Negro leaders displayed their resentment in a mass meeting. True, Mr. Jones, Negroes should support a united effort to better themselves, within themselves, instead of incessantly crying to white people to stop this or start that. But, get this, Mr. Jones—circumstances alter cases. Thus, your assertion concerning the Negro youth's moral delinquency is all wet. You have the facts, but I'll enlighten you as to the motives. Not all Negroes who desert the straight and narrow do so because of improper breeding.

The trend of circumstances has been the basic cause in many instances. Conditions existing now will eventually demoralize any nation. Don't put it all on the Negroes. Every purse snatched from white ladies is not their offense.

You do us a grave injustice in stating that we steal or starve because we spent our last dollar for a dance. It is more likely we have given the last "herb" to a tax collector for the privilege of living on a street paved with red mud.

JAMES A. MICKLES.

Richmond, Va.

TIMES DISPATCH
RICHMOND, VA.

JAN 11 1929

THEODORE JONES IS HIGHLY REGARDED AMONG NEGROES

To the Editor of The Times-Dispatch:

Sir,—My attention was called to a letter, under the "Voice of the People," in your issue of January 5th, signed by Theodore Jones. I do not know Theodore Jones, but I feel sure he is a Negro, and certainly hope he is. And I will say, if he is a Negro, I am positive he does not belong to the better class, or the intelligent class of Negroes.

From my observation, I find the best and most enlightened Negroes favor segregation and Jim Crow laws, and have, and do appreciate the just and kind way they have been treated by the white people of the South. Not long since I heard a very thoughtful Negro say "that if the taxes paid in by the Negroes of Virginia were the only source of revenue to pay for schooling the Negro children, it would not be enough to give them a one-month session a year."

He expressed himself as being so thankful to the white people for educating the Negro. Such is the spirit of the best Negroes of the South, so I am compelled to conclude that Theodore Jones does not belong to that class of Negroes, and yet I cannot believe he is a white man, and would write such a letter to a Southern paper.

T. W. ROSS.

Gordonsville, Va.

NEWS-LEADER
RICHMOND, VA.

JAN 8 1929

Negro Ministerial Union To Fight Segregation Issue

The Negro Interdenominational Ministerial Union of Richmond and Vicinity will conduct a public mass-meeting at the Hood temple A. M. E. Zion church, Adams and Clay streets, Sunday at 3:30 P. M. for the purpose of considering plans to oppose the segregation ordinance now under consideration by the city council.

The union is composed of the ministers of the Methodist, Christian, Presbyterian, Episcopal, Seven-Day Adventist and other denominations of the city. The pastors of these churches will speak at this time, and R. W. Carrington, chairman of the interracial commission, and an Episcopal layman of the city, will deliver the main address. Rev. R. M. Williams, president of the union, will preside.

NEWS-LEADER
RICHMOND, VA.

JAN 9 1929

NEGROES PROTEST SEGREGATION PLAN

Adopt Resolution Calling Proposal "Decidedly Unfriendly."

At a mass-meeting attended by 500 members of their race, Richmond Negroes adopted resolutions protesting the proposed segregation ordinance now before city council as "decidedly unfriendly" and as an attempt by certain members of council "to further humiliate them."

Steps were taken to form a permanent organization to oppose any action of city council that might result in the adoption of such an ordinance. The meeting was held in True Reformers' hall and among those who addressed it were Rev. W. T. Johnson, W. L. Ransome, J. E. Thornton, B. H. Beverly and H. J. Faulks. Dr. Leon A. Reid presided and J. B. Deans acted as secretary.

A committee consisting of James O. West, M. A. Norrell, Dr. J. M. G. Ramsey, Dr. W. H. Hughes, J. E. Bankett, R. C. Scott, Mary V. Binga and Margaret R. Johnson was named to draw up resolutions for adoption.

The proposed segregation ordinance provides that where members of one race constitute a majority of the residents on any street between two intersecting streets members of the opposite race cannot make their residence there. On its appearance before a sub-committee of the ordinance committee a suggestion was made and adopted that the whole matter be placed in the hands of a commission. This was killed by the full ordinance committee. The paper will come up before the full committee again on Monday night.

The resolutions adopted by the Negroes last night are as follows:

"The Negroes of Richmond have, through their tolerance, through their refusal to countenance any act calculated to disturb the friendly relations existing between the races in Richmond, and through their co-operation in every effort to promote the best interests of Richmond, have earned the reputation of being peaceful, useful and law-abiding citizens. They have never been militant or assertive even under the most extreme provocation. They have borne wrongs and injustices at the hands of the administrators of the government of Richmond with only an occasional protest, hoping that the conscience of Richmond would finally awake and that right and justice would unseat race prejudice and intolerance.

"They have believed the assurances of the white people of Richmond that they are friends of the Negro, and have waited patiently for some concrete evidence of this friendship. They have hesitated to join national movements designed to resist oppressive anti-Negro legislation, feeling that Richmond's problem could be better solved by citizens of Richmond. This narrative attests the faith the Negroes had in their white neighbors.

"Richmond is the only city in the South which has white principals in colored schools. It is the only city of consequence in which there is no definite evidence of the friendship professed. It is the only Southern city which offers a segregation ordinance as proof of the friendship of the whites for the blacks. The Negroes of Richmond view this apparent determination of certain members of city council to further humiliate them by the passage of this segregation ordinance with alarm, and consider the act decidedly unfriendly.

"It is, therefore, the sense of this meeting that we form ourselves into a permanent organization to safeguard and protect the rights of the 65,000 Negroes of Richmond, and save our city from the shame threatened by the enactment of this unfair, intolerant, unnecessary segregation ordinance, and any other legislation or act which interferes with untrammeled enjoyment of life, liberty and the pursuit of happiness.

"Be it, therefore, resolved, that the chairman of this meeting be authorized and directed to issue this statement in the name of all Negro citizens of Richmond, and that he is hereby empowered to appoint appropriate committees, to solicit the aid of any agency in sympathy with this movement, and to take such steps as are necessary to put into effect the sentiment of this meeting.

"Be it further resolved, that every person present and the representatives of organized groups among Negroes in Richmond, pledge their moral and financial support to this movement."

TIMES DISPATCH
RICHMOND, VA.

JAN 12 1929

NEGRO LEADERS COULD PERFORM MORE USEFUL DUTIES, HE SAYS

To the Editor of The Times-Dispatch:

Sir,—In your issue of January 6 notice was given of a Negro mass meeting called to oppose or fight segregation in this city. The meeting was to be addressed by the president of the Baptist State Convention; the president of the Baptist Ministers' Conference of Richmond, the chairman of the Negro committee on inter-racial co-operation and other Negro leaders, teachers and preachers.

The said mass meeting was held last Tuesday night at True Reformers' hall and was largely attended by representative colored people. It is only fair, however, to point out that this was an opposition meeting, a negative movement and a very creditable one of its kind. But what a fine thing it would be and how much more creditable if these same prominent Negro leaders would call another mass meeting, this one to do something constructive and instructive. Not a mass meeting merely to restrain or beg white people not to do this, that or the other, but a mass meeting of Negroes resolved to go forward and do something worthwhile for themselves.

Negro leaders who represent brains cannot be united behind a more essential movement than to urge with one voice that their race shall speedily and effectively learn the all-important lesson of self-help, self-improvement and greater respect for the majesty of the law. For example, these leaders should teach the masses of their people that it is highly improvident to impoverish themselves; to enrich the railroads and steamboat lines, by going on excursions and boat sails at from $1 to $7 per round trip. This fool practice is carried on from early spring until late fall. When winter comes how often it finds many of these excursionists out of work, out of money and so destitute they must be supported by the charity of white people or perish.

Negro leaders should also teach the young of the species that it is wrong to crowd dance halls at from $1 to $2 per couple plus automobile hire, or to overrun jim-crow galleries in theatres at any price, and later on, when out of a job, must steal or starve. That a large proportion of the Negro youth in this city is demoralized to an extent never before equaled, cannot be gainsaid. Stores are robbed almost nightly; parcels stolen from parked automobiles; purses snatched from white ladies in the most exclusive residential sections by Negro boys. Notwithstanding the large number arrested and convicted, a still larger number of these lawbreakers are never apprehended and thus go nwhipped of justice.

What are Negro leaders and teachers thinking and saying about this vile condition? What organized effort is being made to remove temptation and disgrace, in whatever guise they may appear, from the pathway of the misinformed and misguided? Where is the Negro Young Men's Christian Association, and what is it doing to rid these boys of the inclination to do violence and wrong?

While the Negro manhood of tomorrow is beinge weakened and destroyed, the Negro race of today debased and debauched, a number of Negro preachers in mass meeting assembled are busy discussing the passage of measure they can neither help nor hinder.

While Negro youths by patrol loads are going to the penitentiary, some for life, some to the electric chair, some to a yawning hell, many Negro doctors of divinity are wasting time drafting resolutions of protest to a City Council that has just ignored a petition signed by several hundred colored citizens respectfully praying that a tract of land for a Negro park be nor purchased with public funds, a park uncalled for, unwanted, unsuitable in location and will be unused by them, yet for which Negroes will be taxed.

THEODORE W. JONES.
Richmond, Va.

NEWS-LEADER
RICHMOND, VA.
JAN 9 1929

Chamber to Ponder Segregation Move

A meeting of the municipal affairs committee of the Chamber of Commerce has been called by the chairman, William M. Schwarzschild, for Friday afternoon to consider the ordinance pending before city council for the segregation of the white and colored races. The committee will attempt to formulate the attitude of the chamber on the proposition, which is contained in a paper introduced by Alderman Henry W. Woody.

According to the restrictions laid down for residential districts, no colored person could live in a block where the majority of the residents are white, and vice versa. The ordinance comes up for consideration before the ordinance committee of council a second time on Monday night and may be reported to the board of aldermen the following night.

More than 500 Negroes assembled last night in True Reformers' hall voiced indignant protest at the move and adopted resolutions condemning the proposal, to be forwarded to council.

NEWS-LEADER
RICHMOND, VA.

FEB 4 1929

ATTEMPT DELAY OF SEGREGATION MOVE

Report Effort to Postpone Council Action Will Be Made at Meeting.

An attempt to delay the passage of the segregation ordinance will be made in common council tonight in the belief that more complete information regarding Negro housing conditions may point the way to a better solution of the problem.

More than one member of common council is convinced that the segregation ordinance, unanimously recommended to common council by the ordinance committee last week, will if enacted, be declared unconstitutional.

The offer of local civic and business organizations to make a complete survey, without cost to the city, of the conditions surrounding the Negro and also to recommend some plan for relief from the conditions that have given rise to the proposed ordinance will only require a month's time, it is pointed out.

The survey might result in a plan agreeable to all concerned, whereas, the voiding of the segregation ordinance by the United States supreme court will leave matters in the same condition as they are at present.

Dr. Lawrence T. Price, of Le[illegible]d, has expressed himself as [illegible] to postponing a[illegible] and will mak[illegible]

[illegible]wards that end at the meeting tonight.

The council will also have before it bond issues for a total of $1,150,000 authorized through ordinances providing as follows: Street improvements contemplated for 1929, $500,000; sewer work, $400,000; water and gas plants, $250,000. The city finance committee will meet prior to the meeting of common council and will hold an executive session to complete consideration of a docket of more than fifty items.

Richmond, Va., News-Leader
Monday, January 14, 1929

SEGREGATION PLAN TO BRING PROTEST

Racial Proposal Will Bring Group Before City Ordinance Committee.

Richmond Negroes will appear before the city ordinances committee tonight at 8 o'clock to protest against the enactment of the proposed segregation ordinance and to urge the appointment of a committee composed of members of both races to study the conditions that gave rise to the ordinance with a view to finding a better solution.

Resolutions protesting against an ordinance which they claim will work many "hardships upon an overburdened and mistreated people" were drawn up and adopted at a mass-meeting attended by more than 1,000 Negroes yesterday afternoon at Hood Temple, A. M. E. Zion church. The meeting was held under the auspices of the Negro Interdenominational Ministerial Alliance of Richmond. Negro ministers from every denomination in the city addressed the meeting and R. M. Williams, president of the Ministerial alliance, was authorized to select a committee to appear before the ordinance committee tonight.

R. W. Carrington, chairman of the commission on inter-racial co-operation, one of the community fund agencies, addressed the gathering and pointed out that in his opinion the segregation ordinace would not benefit either race. It would tend to destroy the amicable relations between the races, he said, in addition to being unconstitutional. The ordinance would have no practical injurious effect on the white people, so far as living conditions are concerned, but would have an opposite effect on the Negro.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 35

Segregation - 1929

Virginia.

LARGE AND ENTHUSIASTIC MEETING FLAYS RESIDENTIAL SEGREGATION ORDINANCE

Richmond, Va., Feb. 12.—Upwards of 1,000 men and women filled with righteous indignation attended the mass meeting held in True Refromers Hall this evening to celebrate Lincoln Douglas Day. While this was the ostensible reason for the meeting, and the speakers extolled the virtues and achievements of these two great statesmen, yet each speaker directed attention to the ordinance calling for residential segregation in this city. While the meeting was in progress the commtitee headed by Joseph D. Bolard, the well known lawyer, returned from the meeting of the Board of Aldermen to inform the meeting that this, the higher branch of the council, had approved the measure adopted by the lower branch a short time ago.

The meeting was presided over by the Rev. Ransome, who made a brilliant address condemning the segregation ordinance and called upon the colored people of Richmond to wage a battle against it. Mrs. Alice Dunbar-Nelson, who happened to be in the city, was called on and she urged that they join all their forces and fight the iniquitous measure.

Robert J. Nelson, the executive director of the Elks Civil Liberties Commission, was invited to be the speaker. J. Finley Wilson, Grand Exalted Ruler of the Elks, was expected to be there but an engagement, previously made, prevented his presence. Mr. Nelson urged the people to fight the measure in the courts and told the audience that the Grand Exalted Ruler instructed him to say that all the power of the Civil Liberties Commission would be back of them in their fight.

He told them that the most potent weapon they had in this or in any ther battle was the ballot and he impressed on the audience the importance of qualifying to vote so that they would have a voice in the selection of their officials.

The committee, headed by Dr. Leon A. Reid, is making plans to fight the ordinance in the courts and a fund of about $3,000 will be raised for that purpose.

NEWS-LEADER
RICHMOND, VA.

AN 12 1929

C. OF C. TO CONSIDER RACE SEGREGATION

Municipal Affairs Committee Will Discuss Measure Proposed by Woody.

The municipal affairs committee of the Chamber of Commerce will meet again in the near future to hear additional evidence on the race segregation question, now before city council in a paper proposed by Alderman Henry W. Woody. A meeting held yesterday afternoon was adjourned with no opinion reached by the committeemen, who are to make a thorough investigation of the matter from both sides and report a recommendation to the chamber directors.

Richard W. Carrington, Richmond lawyer, and head of the city's interracial council, spoke before the committee in opposition to the move. He pointed out that similar ordinances of other cities have been held unconstitutional by the United States supreme court. While it is maintained that the present ordinance can be based on Virginia's racial integrity law, he declared that both the colored and white people would be harmed by the segregation measure. Mrs. B. B. Munford and Miss Nora Houston also opposed the move.

Alderman Woody explained the purpose of the ordinance, and Lucius Cary, assistant city attorney, outlined the position of the legal department. C. C. Crouch, principal of Springfield school, spoke in favor of segregation. The paper as offered by Alderman Woody provides that persons who are not allowed by the Virginia laws to intermarry shall not reside on the same city block, that where a majority of one race occupies a block at the present time the other race will be barred.

After hearing the discussions, the committee voted to defer action until further investigation of the problem can be made from various angles. William H. Schwarzschild is chairman of the committee, and William T. Dabney is secretary.

NEWS-LEADER
RICHMOND, VA.

DEFER ACTION ON SEGREGATION HERE

City Ordinance Committee Hears Arguments for Nearly 5 Hours, Adjourns.

Proponents and opponents of the proposed race segregation ordinance had their innings before the city ordinances committee last night, and at the close of a hearing that started at 7:45 and ended at 12:30 A. M., the meeting was declared adjourned until Jan. 31 without any definite action being taken.

Council chambers were crowded with the friends and enemies of the measure that would prohibit members of both races from residing on the same street between two intersecting streets. Alderman Henry W. Woody, patron of the ordinance, led the speakers who favored its passage, and Richard W. Carrington, chairman of the commission on inter-racial co-operation, led the opposition.

Opponents of the measure said that lack of room and unsatisfactory housing conditions led the Negroes to move into the white sections rather than a desire for social equality. Living conditions were declared to be unbearable and unsanitary, and to breed disease among the Negroes. The ordinance would not stand the test of constitutionality, said Alfred Cohen, local attorney.

Those who spoke in favor of the measure said that its sole purpose is to protect white neighborhoods from the encroachment that will inevitably result in financial loss to the white home owners.

It was also argued that the schools recreation centers, homes and streets of the Negro are on a par with those of the white people, although the latter pay 97 per cent. of the taxes.

Speaking in favor of the measure were Secretary Sharp, of the Stonewall Club, Jefferson ward; the Rev. S. R. Orrell, pastor of the East End Baptist church; Oscar Hord, John Dutton, Edgar English, Mrs. J. C. Stephens and C. O. Alley.

Opposing the measure were: Richard W. Carrington, H. W. Goodwyn, attorney; Miss Lucy R. Mason, Joseph R. Pollard, Negro lawyer; Rev. W. L. Ransome, Rev. W. T. Johnson, Rev. R. M. Williams, Negro pastors.

An effort to postpone further hearings was defeated by a tie vote as was also an effort to adopt the ordinance. Announcement by Chairman Marx Gunst that he had to leave the city on a 1 o'clock train resulted in a filibuster being started by Councilman R. B. Liggan. This was broken when three members of the committee followed Alderman Gunst out of the hall and a quorum was lost. The meeting was then declared adjourned until Jan. 31.

TIMES DISPATCH
RICHMOND, VA.

JAN 1 1 1929

Negroes Again Will Protest Projected Segregation Move

Another public meeting to oppose the proposed segregation ordinance now before Council will be held Sunday at 3:30 P. M. at Hood Temple, A. M. E. Zion Church, under auspices of the Negro Interdenominational Ministerial Alliance of Richmond and vicinity.

The group is composed of ministers of the Episcopal, Presbyterian, Christian, Methodist and other denominations having Negro churches in this vicinity.

The meeting is said to have the unanimous indorsement of the Negro ministry in Richmond.

R. W. Carrington, chairman of the Interracial Commission, will make the principal address at the meeting, and the Rev. R. Cary Montague will speak to the Council Monday, the alliance vigilance committee has announced.

NEWS-LEADER
RICHMOND, VA.

JAN 28 1929

HOW SHALL RICHMOND APPLY JUSTICE TO THE NEGROES?

The intelligence of Richmond is challenged to apply the justice that DR. BEVERLEY D. TUCKER, JR., rightly affirmed yesterday in his sermon at St. Paul's is the prime issue involved in the proposed segregation ordinance. Richmond wants to be just: how shall she go about it?

The question is civic, not racial. Far more is involved than the mere separation of the races by drawing a line and saying the Negroes shall not go beyond it. The Negroes are moving into white neighborhoods because they constitute one-third of the city's population, yet are said to occupy only a little more than one-tenth of the city's area. Behind their efforts to better themselves lies the long neglect of old Jackson ward by the city and by some of those who own property there. The Negroes endured dust and insanitary conditions when they could not afford better things, but now that they are receiving larger wages, they naturally seek to raise their standard of living and to give their families more comforts. Who can blame them for that? Who can expect them to be content with a shanty on an unpaved, neglected street, when there are vacant houses on better streets, available to them at prices they can afford to pay?

To attempt to meet this condition by merely passing a segregation ordinance is altogether unworthy of Richmond, and is as short-sighted as it is unjust. Draw a hard-and-fast line and what are Richmond Negroes to do in the future? Are they to live within the same bounds, decade after decade, though they come in time to number 100,000? The idea is preposterous. This is no Polish city in which the laws make it possible to establish a black ghetto. This is America.

The News Leader does not believe for one moment that the supreme court of the United States will uphold any segregation ordinance that Richmond can pass. The ordinance would be enacted by the city only to be invalidated by the court, and Richmond, meantime, would have confessed that she did not have the patience, the patriotism and the courage to work out this civic problem.

A better way can be found. Improvement of the Negro districts is practicable. The opening of new sections for them may be possible. Means can be devised of turning over to them, without loss, those squares from which the white population is moving to more modern homes. The real estate men, the Chamber of Commerce, the labor interests, the banks—all these will co-operate with the city council if the subject is approached in a spirit of friendly co-operation rather than in a spirit of blind repression.

TIMES DISPATCH
RICHMOND, VA.

JAN 12 1929

The Segregation Ordinance

THE City Council is now considering an ordinance the purpose of which seems to be to hoodwink the United States Supreme Court. The purpose of the ordinance is to prevent a colored person from living on any block on which a majority of the residences are occupied by white persons, and to prevent a white person from living on any block on which a majority of the residences are occupied by colored persons. Ordinances establishing this plan of segregation were passed by several cities in 1912-13, and one of the lot—adopted by Louisville, and virtually identical with the others—was declared unconstitutional by the highest tribunal in the land.

Now Council is considering the wisdom of attempting to outwit the Supreme Court by using the racial integrity statute forbidding miscegenation as the determining factor, whereas the old ordinances, making no attempt to evade the issue, used the color of the individual.

Frankly, this newspaper does not believe that this attempt to accomplish by indirection what the court has declared unconstitutional will be successful. And even if it were, it would fall far short of solving a problem which almost every large city in the land has had to face within the past twenty years.

In Richmond, a condition which has been chronic is becoming acute. Council is under great pressure from some sections of the city, where the gradual encroachment of colored residents is driving the white population away from its churches, and threatening to isolate at least one white school. It is only natural for those affected to be demanding some remedy, no matter how drastic, so that it is immediate in effect.

For the point of view of those citizens who find themselves in retreat from their own homes and neighborhood THE TIMES-DISPATCH has entire sympathy. The two races live amicably in Richmond, but it is to the best interests of both that they live apart. The city must find some way to meet the situation with courage and intelligence, rather than lean on the broken stick which is now offered Council.

The first question to answer is, Why are our colored residents moving into neighborhoods formerly occupied exclusively by whites? The answer is not, as some of the prejudiced believe, that the Negroes are growing "uppity" and want to live next to white folks. Investigation will show that in New York and Chicago, where there are no segregation ordinances and few restrictions of any kind, the Negro population is nothing like so spread out as in Richmond and other Southern cities which are constantly endeavoring to confine it to one section. Why is this true? Because in Harlem, for instance, the residents have the same facilities—sewers, streets, gas, schools, water and transportation—as the residents of the Bronx, Brooklyn or any other borough of the city.

The experience of these other cities shows clearly that the Negro prefers to live with others of his own race, when he is not penalized for doing so.

If Richmond has the courage to face facts—even disagreeable facts—and to meet an ugly problem squarely and courageously, it will admit that the white people are responsible for the encroachment of the Negro on white sections, because the white people run the government. We have been talking for years of improving living conditions in Jackson Ward and other sections given over to the Negro, but what have we done? Precious little.

The decent-living, self-respecting Negro who earns enough money to quit the squalor, dirt and danger of his early environment finds but one course open to him. That is to rent or buy on some street which has been occupied by whites, for those streets will be improved, and adequately served by gas, water and sewer lines.

This is a problem which should be approached with utmost consideration for all groups involved, and with firm determination to work out a just and lasting solution. Instead of relying on a piece of legislation which in all probability is unconstitutional, and which would be a makeshift, even if it were to be upheld by the courts, a proper commission should be created to call in all interested parties, survey the situation, and recommend a remedy. This need not result in delay. To the contrary, it should save time. A fact-finding body composed of the right Richmond men and women could solve this very difficult problem while the proposed ordinance was being appealed to the Supreme Court.

TIMES DISPATCH
RICHMOND, VA.

JAN 9 1929

Negroes Protest Projected Plan of Segregation in City

Protesting the passage by City Council of a so-called "segregation ordinance," more than 500 Negroes assembled in True Reformers Hall last night, and adopted resolutions condemning such proposed action by Council as "unfriendly and unjust" to the Negro population.

A number of leading Negroes addressed the audience in condemnation of the ordinance as proposed by Alderman Henry W. Woody, of Jefferson Ward, and at the conclusion of the meeting, it was determined to form a permanent organization for the purpose of opposing any action by Council that might result in the adoption of such an ordinance as that proposed by the Jefferson Ward Alderman.

Dr. Leon A. Reid presided, and J. B. Deans acted as secretary.

Among the speakers were Dr. W. T. Johnston, W. L. Ransome, J. E. Thornton, B. H. Beverley and H. J. Faulks. The committee named to draft a statement to the public with appropriate resolutions consisted of James O. West, chairman; M. A. Norrell, secretary; Dr. J. M. G. Ramsey, Dr. W. H. Hughes, J. E. Bankett, R. C. Scott, Mary V. Binga and Margaret R. Johnson.

Would Restrict Conditions.

The proposed ordinance restricts living conditions in the city to the majority of either race residing on any one block. The original paper as proposed by Alderman Woody prescribed a retroactive clause. Later the committee in discussing the paper expressed the belief this clause might prove unconstitutional. After prolonged discussion before a sub-committee of the Committee on Ordinances, embracing Alderman Charles W. Moss, Councilmen James H. Britton and Carleton E. Jewett, a report was framed suggesting the entire matter be placed in the hands of a commission of citizens and Councilmen. This body was to have returned a plan upon which Council might proceed.

When this report was submitted to the full committee, that body, under leadership of Councilman R. B. Liggan, refused to accept it, and further consideration of the ordinance was agreed upon. This will be had next Monday night, with the probability the committee may make its report to the Board of Aldermen the following night.

The preamble and resolutions adopted by the Negroes last night contains this language:

Resolution Passed.

"The Negroes of Richmond have, through their tolerance, through their refusal to countenence any act calculated to disturb the friendly relations existing between the races in Richmond, and through their co-operation in every effort to promote the best interests of Richmond, have earned the reputation of being peaceful, useful anl law-abiding citizens. They have never been militant or assertive even under the most extreme provocation. They have borne wrongs and injustices at the hands of the administrators of the government of Richmond with only an occasional protest, hoping that the conscience of Richmond would finally awake and that right and justice would unseat race prejudice and intolerance.

"They have believed the assurances of the white people of Richmond that they are friends of the Negro, and have waited patiently for some concrete evidence of this friendship. They have hesitated to join national movements designed to resist oppressive anti-Negro legislation, feeling that Richmond's problem could be better solved by citizens of Richmond. This narrative attests the faith the Negroes had in their white neighbors.

"Richmond is the only city in the South which has white principals in colored schools. It is the only city of consequence in which there is no definite evidence of the friendship professed. It is the only Southern city which offers a segregation ordinance as proof of the friendship of the whites for the blacks. The Negroes of Richmond view this apparent determination of certain members of City Council to further humiliate them by the passage of this segregation ordinance with alarm, and consider the act decidedly unfriendly.

Protection Is Aim.

"It is, therefore, the sense of this meeting that we form ourselves into a permanent organization to safeguard and protect the rights of the 65,000 Negroes of Richmond, and save our city from the shame threatened by the enactment of this unfair, intolerant, unnecessary segregation ordinance, and any other legislation or act which interferes with untrammeled enjoyment of life, liberty and the pursuit of happiness.

"Be it, therefore, resolved, that the chairman of this meeting be authorized and directed to issue this statement in the name of all Negro citizens of Richmond, and that he is hereby empowered to appoint appropriate committees, to solicit the aid of any agency in sympathy with this movement, and to take such steps as are necessary to put into effect the sentiment of this meeting.

"Be it further resolved, that every person present and the representatives of organized groups among Negroes in Richmond, pledge their moral and financial support to this movement."

Segregation - 1929

Virginia.

TIMES DISPATCH
RICHMOND, VA.

JAN 1 8 1929

BAPTIST LEADER WRITES ON SEGREGATION

To the Editor of The Times-Dispatch:

Sir,—I have just read your editorial in this morning issue of your paper. I write to thank you for your sane and wise stating and excellent suggestions with reference to the pending segregation ordinance before the City Council. Every Negro should be proud of a paper that takes such a stand. The right thinking white people are bound to agree with you, though a few may differ as a few Negroes differ with the Negro ministers for leading in the protest against this ordinance. Among such Negroes is Theodore W. Jones, whose article appeared in the "Voice of the People" section of this morning's issue of your paper.

Jones suggests that the Negro ministers might have been doing something better than holding mass meetings against this ordinance; something more constructive, he says, should be done. The constructive things which he mentions are: Stop going on excursions, stay out of jim-chow galleries in theatres, keep away from dance halls, stop stealing white ladies' purses.

Evidently Jones is a little off on the difference between what is constructive and not constructive, what is negative and what is positive. All these mentioned by him are negative. The things which he suggests that the minister should do are old. Our friend Jones must not have often attended Negro churches; for dancing, theatre going and wasting money on excu[illegible] constant topics of the avera[illegible] minister of this city in the respective churches.

The Negro preachers do preach "respect for the majesty of the law," but they teach also that snatching a pocketbook from a Negro woman is just as wrong as snatching one from a white woman. Stealing is stealing. He says that the Negro minister can neither help nor hinder the passing of the segregation ordinance and therefore should let it alone. The Negro cannot cure his fever, should he therefore not call a physician? The Supreme Court of the nation can help or hinder the ordinance and the Negro ministers are derelict in duty if they do not tell their people so. Even if the Negro could no nothing, he has a right to state his rights as has any and all citizens.

Let me thank you again for your editorial. I write because I feel that I am voicing the sentiment of the Negroes of this city and of this State.

W. L. RANSOME,

Pastor First Baptist Church, South Richmond; president Baptist Ministers' Conference of Richmond; president Baptist General Association of Virginia.

TIMES DISPATCH
RICHMOND, VA.

JAN 5 1929

SEGREGATION NOT WORST ILL, WRITES THEODORE JONES

To the Editor of The Times-Dispatch:

Sir,—The writer is opposed to residential segregation and jim-crow laws, but more opposed to some other things which are worse. Since he may be affected by the ordinance in question if passed, he desires to discuss the pending measure.

First, on the threshold of the New Year we find the Common Council of Richmond taking steps to segregate in the matter of residence more than 60,000 colored citizens, whose rights, liberties, happiness and destinies this august body holds in the hollow of its hand.

Secondly, the Negro in Richmond is not looking for "social equality," but a decent place in which to live. All he asks is justice, equity and right guaranteed by the Federal Constitution. Only with this will he be contented. He verily believes free-dom has passed when popular preju-dice, custom or law compels him to live not where he pleases, but where others please to dictate.

Thirdly, the congested condition of Jackson Ward, and other crowded sections where Negroes must reside are productive of exorbitant rents and unhealthy living conditions. Richmond is slow in the enforcement of proper housing regulations; slow the enforcement of sanitary laws for the benefit of its Negro population. A segregation ordinance would restrict the Negro race to the narrow limits of densely populated districts; would force them to pay still higher rents; would expose them to worse unsanitary conditions. The rapidly increasing Negro population would add to these attendant evils.

It is obvious, therefore, that improvement in this unfortunate situation cannot be brought about by residential segregation; cannot be brought about by the Negro himself. Help must come from another source. Richmond should exercise strict supervision over the Negroes' housing conditions; should furnish municipal service to all citizens equally taxed; should impartially enforce all sanitary regulation; should improve and care for the streets and alleys upon which the Negro must live, and where his children are born and reared. These desirable changes could be effected without additional legislation of any kind or nature.

Even these suggested benefits, if realized, would not mean that the future progress of the Negro will be easy. There are other important problems awaiting solution; many disabilities and grave errors which the Negro himself must overcome. He must stop stumbling over obstacles of his own placing; must stop adding to the list of his own disadvantages; must stop doing fool things which have no parallel, or anything approaching a parallel.

For example, before the dawn of emancipation a Negro church was organized in Richmond with a membership of both bond and free. Maid and man-servant have begged white people for means with which to pay the indebtedness on that church for a generation, and now it is more heavily encumbered than when organized. That structure stands today a monument to the business incapacity, inability or dishonesty of a portion of the Negroes in this community, which is a greater disgrace than any segregation ordinance that can be enacted. No greater sin can be committed by any religious organization than to be forever engrossed with programs for material things.

The Negro leaders who attended the Council meeting in opposition to the proposed segregation scheme are to be commended. But how many would attend a meeting called to arrange for the erection of a modern Negro Y. M. C. A. building? Such a structure would tend to protect and keep the Negro youth of Richmond out of low dives, lewd dance halls, gamb-bling dens, bootleg joints, houses of prostitution and the Juvenile Court. The antiquated shack at Leigh and Third Streets, with its more antiquated management, has been for forty years an eye-sore to Richmond, a reflection on the Y Association and a worse reproach to the Negro race than all the jim-crow laws in the State of Virginia.

In concluding, it is recalled that not long ago a national Negro organization convened in this city. The local committee of arrangements staged a mammoth parade, at an estimated cost of $200,000, the exact figures not being available. The shame and chagrin came later, when some of these same local leaders appealed to the white people for $100,000 to help erect a hospital home for the sick and suffering of the Negro race. What an imposing hospital home; what a modern Y building that $200,000 wasted in a vain show would have erected. And this, too, without appealing to white friends already burdened with the weight of their own responsibilities.

A segregation ordinance is a bad thing and should be fought along with other handicaps that oppose and hinder the Negroes' progress. At the same time it is well to remember there are other things for which the Negroes of Richmond should hang their heads in shame beside jim-crow laws.

THEODORE W. JONES.

Richmond, Va.,

NEWS-LEADER
RICHMOND, VA.

FEB 2 1929

SEGREGATION, HE BELIEVES, IS SAFEST POLICY.

Editor The News Leader:

Sir,—Quoting the pulpit of last Sunday, "There can be neither Jew, nor Greek; there can be neither bond or free, etc."

So far as this may be strained to apply to the expenditure of the city's money in her improvements, I say, Amen.

But let us cross the bridge in a walk, for there has to be made up yearly a budget of expenditures covering the whole city, having regard for her various needs, whether of Jew, Gentile, Catholic, Greek, Mohammedan, Confucian, sinner or Negro.

The city council, handling the city's money, cannot coddle or paternalize; every tub must stand on its own bottom and as I understand it, spend as the needs of the city present themselves as a whole.

Those sections of the city occupied by the Negroes have and only should have the same consideration as those sections peopled by the whites, and if the council is not doing this it is open to censure and reprimand. If it is doing this and without remuneration, then the whites and the blacks owe it a debt of gratitude, and nothing more should be expected of the council.

I would withhold nothing from the Negro, to which he is entitled, and it goes without saying that the health of the people is of the first importance; and just here I will risk the assertion that 75 per cent. of the Negroes in Richmond are living under better conditions than they were afore-time accustomed to. I enter no protest against such improvements in the Negro sections as the finances of the city will warrant, taken along with the expenditures called for all over the city. That some sections call for greater outlay than others per capita, is patent.

But I lend myself more especially to the matter of segregation.

Enough years have passed now to brush aside sentiment. Poetry has resolved itself into severest prose and practical business is the order of the day.

This matter of segregation is before us and we had as well dispose of it now as to have it an abiding disturber, and when it is disposed of, maybe our council will have a strengthened heart to consider other things pertaining.

No well-thinking, clean-meaning, rightly-imbued, intelligently-prompted Negro wishes his residence away from his people and set among the whites, and surely the reverse is true. If such matters are not to be left to the intelligence of our elected representatives in the council, we had better set about to change the personnel if not the character of our city government.

It is inconceivable that any man will quietly submit to trespass upon his rights without demurrer, and it is beyond the power of the supreme court of appeals of these United States to bring about a condition which will depreciate the value of individual property without his consent and without remuneration.

The Negro has had sixty-five years since his emancipation to establish his qualities. Let us hearken back sixty-five years before his emancipation, bringing us to the year 1800.

The white man then having as a rule hardly more money than the average Negro, at least, ought to have in his pocket today, with the "tallow dip," the flint rock and punk, the ox-cart and roadless country, the nearest neighbor out of call in times of distress, no public schools, knowledge of germs and hygiene as remote as the number of the stars, "community funds" not yet discovered, straw for his pallet and he thus handicapped, had to hew out his livelihood. He did it and not only so, but also laid the foundation and presently consummated the building of this great republic with its open gate to the gratification of every ambition to be found in the Negro mind and heart. Is it then strange that we would call this the white man's country?

In all this, I would not deprecate the Negro nor disturb friendly relationships, but, with the amazing advantages he has enjoyed to work out his record, a comparison may be made of what the whites accomplished from 1800 to 1865, and what the Negro has done from 1865 to 1929.

Again, I would not restrict the Negro, in his laudable efforts, nor minimize his accomplishments. I have simply stated facts. My contention is that it will be better for him to colonize his race among themselves, work out their future among themselves, erect their temples upon their own ground, show to the world the stuff that is within them, apart from closer social affiliation with the whites.

Since this subject has found its way to the pulpit, I commend Romans, XIV. 19, "Let us therefore follow after things which make for peace and things wherewith one may edify another."

QUINTUS.

THIS LETTER IS A CREDIT TO RICHMOND NEGROES.

Editor The News Leader:

Sir,—The Negroes of Richmond are chagrined, mortified and humiliated because of the recent action of the committee on ordinances in unanimously recommending for passage the segregation bill.

In the face of all that has been done by the best people of the city of both races, to reach some mutual understanding, the honorable gentlemen of the committee thought it best for the interests all the citizens to recommend the paper for passage. And the Negroes accept it as a reward for their years of loyalty and devotion from those whom they have tried to serve.

It was said during the hearing in council chambers that if the Negro could understand the white man and get his point of view he would not object to this ordinance. But, Mr. Editor, with due respect, it seems almost impossible for the Negro to understand the man who feels that an ordinance like this is for the best interests of the Negro himself.

He (the Negro) tries to understand, for he realizes that his own happiness is dependent upon an intelligent understanding and co-operation with those in whose hands his well being largely rests. As he tries to follow the white man's teaching, heeds his advice as he speaks to him personally, and then hears this same teacher advocate the passage of an ordinance like this, he becomes like a student who was taking examination in a certain college. "Who is that smoking back there?" thundered the professor as he sat at his desk in front of the room. "No one is smoking," answered the student. That's only the fog I'm in." The more the Negro tries to see from that particular point of view the thicker the fog becomes.

For instance, he cannot understand how a man can eat bread which was

kneaded by a pair of black hands and yet feel that the owner of those hands can contaminate a city block by living in it. Or, how can a nurse exercise a mother's care over children, be with them all day, feed them, put them to bed at night and yet pollute an entire neighborhood if she happens to reside there? Neither can Negroes understand why they can live "on the lot," if that lot belongs to their employers, and not be offensive, and suddenly become so if they live on a lot owned by themselves in the same neighborhood.

This is not meant to be sarcasm, sir, but they are things Negroes honestly do not understand.

There is yet another mystery (and I am still respectful). How can a lawyer sit or stand beside an unkempt Negro bootlegger in police court, catch hold of his arm, whisper in his ear, and permit the bootlegger to whisper in his, and yet feel disgraced if a respectable law-abiding Negro who by honest effort has earned enough money and purchases a home in his block.

Negroes do not desire to encroach upon white people, Mr. Editor. Your own splendid editorials have said so time after time, for it is natural for all men to seek the society of their own race. He simply seeks a better home, and as he moves into the home recently vacated by white people, his simple heart breathes the hope that they have found a better one.

It is to the discredit of Richmond that she, with all her culture, learning and pride could not find the way out of a difficult situation without heaping humiliation upon a defenseless people and sowing seeds of bitterness.

Times are hard, and the pressure is greatest on the Negro, who economically is at the bottom. It is to be regretted that out of his meagre earnings he will be called upon for funds necessary to test the constitutionality of this ordinance. He has been taught by the white people whom he has served and come in contact with, that to be respected he must respect himself; therefore no self-respecting Negro in the city of Richmond will be satisfied until the highest court in the land has spoken regarding this ordinance.

But what is more important even than the decision of the court, Mr. Editor, is whether or not that same spirit of mutual helpfulness and good will which has for so long characterized the relationship of the white and colored people of the fair city of Richmond, will still prevail.

OBADIAH B. SIMMS.

SO THAT'S THAT.

Editor The News Leader:

Sir.—Public attention was called to a letter in the Forum under the caption, "Protest Against Locating Park Near Chamberlayne Avenue." This letter is not only timely, but written without passion or prejudice. In this connection it should be known that leading colored people have protested in vain against the location of this proposed park and swimming pool for Negroes. Only recently more than 400 Negroes signed a protest and filed it with the common council, praying that body not to waste public funds on a Negro park which the colored people did not ask for, do not want, and will not use.

But, instead, the Negroes very sensibly asked that the appropriation be expended in paving streets and making other public improvements in Negro sections of this city. That protest was entirely ignored. Why the council should be so determined to force upon Negro citizens, over their written protest, a park and swimming pool, on the edge of a public dump, is a mystery. If the Negroes had a new Y building at Third and Leigh streets, equipped with a swimming pool, they would have no need for an open-air swimming hole as proposed by council.

Please permit me further to quote from the letter of protest of Jan. 30. "It will be a disgrace to our city to have nude people in bathing suits parading up and down Chamberlayne avenue to an open-air swimming pool." That indeed would be in very bad taste, but here is something that would be immeasurably worse. A Negro park located on the tract of land described would not be patronized by respectable colored people, but by the offscouring of the Negro race, bandits, bootleggers, thieves and prostitutes. Everything unholy and unclean would come forth from its lurking place, and deeds of darkness would be committed on Chamberlayne avenue beneath the friendly shadows of the night.

If the common council would do something worth while for more than one-third of Richmond's population; something that would greatly improve the physical aspect of this city, it could do so by providing with ample funds some place other than the city home for the care of indigent, unfortunate and helpless aged Negroes.

There should be some plan devised, adopted and enforced that will take from the public streets of Richmond the halt, lame and blind Negro mendicants. The business of these poor, half-starving creatures, reduced to the necessity of exposing their scars, sightless eyes or deformity to the public gaze in order to obtain bread to eat, is a disgraceful business and the condition which it represents should be unknown in this great city. The educational, recreational and amusement features and facilities for the Negro are fairly adequate, but charity which should center in the homes of the honest poor is woefully lacking. Relief should be dispensed with a nearer approach to equity between the races, and a greater attempt made to render more comfortable the declining days of human life.

THEODORE W. JONES.

Richmond, Va., News-Leader
Wednesday, January 9, 1929

NEGROES PROTEST SEGREGATION PLAN

Adopt Resolution Calling Proposal "Decidedly Unfriendly."

At a mass-meeting attended by 500 members of their race, Richmond Negroes adopted resolutions protesting the proposed segregation ordinance now before city council as "decidedly unfriendly" and as an attempt by certain members of council "to further humiliate them."

Steps were taken to form a permanent organization to oppose any action of city council that might result in the adoption of such an ordinance. The meeting was held in True Reformers' hall and among those who addressed it were Rev. W. T. Johnson, W. L. Ransome, J. E. Thornton, B. H. Beverly and H. J. Faulks. Dr. Leon A. Reid presided and J. B. Deans acted as secretary.

A committee consisting of James O. West, M. A. Norrell, Dr. J. M. G. Ramsey, Dr. W. H. Hughes, J. E. Bankett, R. C. Scott, Mary V. Binga and Margaret R. Johnson was named to draw up resolutions for adoption.

The proposed segregation ordinance provides that where members of one race constitute a majority of the residents on any street between two intersecting streets members of the opposite race cannot make their residence there. On its appearance before a sub-committee of the ordinance committee a suggestion was made and adopted that the whole matter be placed in the hands of a commission. This was killed by the full ordinance committee. The paper will come up before the full committee again on Monday night.

The resolutions adopted by the Negroes last night are as follows:

"The Negroes of Richmond have, through their tolerance, through their refusal to countenance any act calculated to disturb the friendly relations existing between the races in Richmond, and through their co-operation in every effort to promote the best interests of Richmond, have earned the reputation of being peaceful, useful and law-abiding citizens. They have never been militant or assertive even under the most extreme provocation. They have borne wrongs and injustices at the hands of the administrators of the government of Richmond with only an occasional protest, hoping that the conscience of Richmond would finally awake and that right and justice would unseat race prejudice and intolerance.

"They have believed the assurances of the white people of Richmond that they are friends of the Negro, and have waited patiently for some concrete evidence of this friendship. They have hesitated to join national movements designed to resist oppressive anti-Negro legislation, feeling that Richmond's problem could be better solved by citizens of Richmond. This narrative attests the faith the Negroes had in their white neighbors.

"Richmond is the only city in the South which has white principals in colored schools. It is the only city of consequence in which there is no definite evidence of the friendship professed. It is the only Southern city which offers a segregation ordinance as proof of the friendship of the whites for the blacks. The Negroes of Richmond view this apparent determination of certain members of city council to further humiliate them by the passage of this segregation ordinance with alarm, and consider the act decidedly unfriendly.

"It is, therefore, the sense of this meeting that we form ourselves into a permanent organization to safeguard and protect the rights of the 65,000 Negroes of Richmond, and save our city from the shame threatened by the enactment of this unfair, intolerant, unnecessary segregation ordinance, and any other legislation or act which interferes with untrammeled enjoyment of life, liberty and the pursuit of happiness.

"Be it, therefore, resolved, that the chairman of this meeting be authorized and directed to issue this statement in the name of all Negro citizens of Richmond, and that he is hereby empowered to appoint appropriate committees, to solicit the aid of any agency in sympathy with this movement, and to take such steps as are necessary to put into effect the sentiment of this meeting.

"Be it further resolved, that every person present and the representatives of organized groups among Negroes in Richmond, pledge their moral and financial support to this movement."

Richmond, Va., News-Leader
Wednesday, January 9, 1929

Chamber to Ponder Segregation Move

A meeting of the municipal affairs committee of the Chamber of Commerce has been called by the chairman, William M. Schwarzschild, for Friday afternoon to consider the ordinance pending before city council for the segregation of the white and colored races. The committee will attempt to formulate the attitude of the chamber on the proposition, which is contained in a paper introduced by Alderman Henry W. Woody.

According to the restrictions laid down for residential districts, no colored person could live in a block where the majority of the residents are white, and vice versa. The ordinance comes up for consideration before the ordinance committee of council a second time on Monday night and may be reported to the board of aldermen the following night.

More than 500 Negroes assembled last night in True Reformers' hall voiced indignant protest at the move and adopted resolutions condemning the proposal, to be forwarded to council.

NEWS-LEADER
RICHMOND, VA.

JAN 11 1929

Negroes Here to Protest Project for Segregation

Richmond Negroes will hold a mass-meeting to protest against the proposed segregation ordinance on Sunday at 2:30 at Hood Temple, A. M. E. Zion church. The meeting will be held under the auspices of the Negro Interdenominational Alliance, and is said to have the unanimous endorsement of the Negro ministry in this city.

R. W. Carrington, chairman of the interracial commission, will make the principal address at the meeting. The Rev. Dr. R. Cary Montague is scheduled to address the council on Monday.

INTELLIGENCER
WHEELING, W. VA.

JAN 4 1929

NEGRO SEGREGATION CASE GETS HEARING

RIGHT OF NEGROES TO USE CHARLESTON LIBRARY IS AGAIN IN COURT

Charleston, W. Va., Jan. 3.—(AP)—The right of negroes to use the Charleston public library came before the state supreme court again today when the Charleston independent district school board filed application for a new hearing in the case.

The supreme court on December 4, ruled that segragation of white and negro races in the public schools of West Virginia did not extend to public libraries and declared "the governing body of a public library may not exclude persons therefrom on account of their color, race or previous condition of servitude."

The decision of the supreme court reversed the ruling of the Kanawha county circuit court which had quashed an alternative writ of mandamus obtained by negro citizens of Charleston to compel the board of education to show cause for refusing to permit use of the library by negroes.

NEWS-LEADER
RICHMOND, VA.

JAN 12 1929

Segregation Plan To Come Up Monday

The segregation ordinance will come up before the ordinances committee of city council at a public hearing on Monday night at 8 o'clock.

A large delegation of both white and Negro citizens is expected to attend the hearing on the proposed ordinance. Since the proposal of the sub-committee that the question of race segregation be placed in the hands of a commission was turned down by the full committee, the Negroes have held several mass meetings at which resolutions of protest against the ordinance have been adopted. These will be presented to the committee on Monday.

The streets committee will meet at 5 o'clock on Monday to act upon a docket of some thirty or more measures and the board of aldermen and common council will hold a joint session Tuesday night at 8 o'clock for the purpose of electing two members to the Richmond port commission and also a judge of the police court to succeed Judge John L. Ingram, who resigns on January 31.

Segregation- 1929

NEWS-LEADER
RICHMOND, VA.

FEB 1 1929

SEGREGATION IS ACCORDED FULL COMMITTEE AID

Unanimous Approval Given by Ordinance Group; Council Study Monday.

MEASURE'S ADVOCATES AND OPPONENTS HEARD

The ordinance committee approved the segregation ordinance by unanimous vote last night and forwarded it to common council where it will come up on Monday night.

Two petitions asking that a vote on the measure be delayed pending completion of a complete survey of conditions surrounding the Negro and the gathering of all available data on the subject, read by the chairman, Marx Gunst, failed in their purpose.

One of these was signed by a committee representing the Richmond Chamber of Commerce, the Ministerial Union, Central Trades and Labor Council, Inter-Racial commission and the Richmond Real Estate Exchange and the Richmond Bar Association. The other was a resolution adopted by the Ministerial Union yesterday asking delay until May 15. It was read by the Rev. R. Cary Montague.

Joint Committee Letter.

The clerk read the following letter from the joint committee representing the civic and other local organizations offering to make a comprehensive study of the Negro situation as a means of supplying the ordinance committee with complete and accurate data before action is taken on the ordinance:

In behalf of the citizens who requested a brief delay in the action on the proposed segregation ordinance, we desire to thank you for your courteous acquiescence to our request.

The undersigned committee, representing the Richmond Chamber of Commerce, the Richmond Bar Association, the Richmond Ministerial Union, the Richmond Real Estate Exchange, the Central Trades and Labor Council and the Richmond commission on inter-racial co-operation, have held two extended conferences and now beg to submit to your honorable committee's consideration the conclusions at which we have arrived.

This committee is not a chance assembling of individual citizens, but represent fromal appointees from the above named organizations. The motive behind the appointments of these separate committees was the thought that the difficulties, which had led to the suggestion of a segregation ordinance, were fundamentally a civic problem touching the safety, honor and welfare of this whole community, and, as such, deserved the most careful attention and the most generous help and support from every citizen of every rank.

It is beyond dispute that conditions exist in Richmond, which necessitate, and will continue to create, points of friction between the white and the colored races wherever the colored race enters into territory, which has heretofore been exclusively white. We feel sure that your committee, no less than ourselves, would gladly seek to find some method of relief from conditions which are thus created and we appreciate the fact that it was in response to those motives that the proposed segregation ordinance has been introduced.

No Plan for Future.

Meanwhile we are confronted with the undeniable fact that the Negro population of Richmond, which at present constitutes about one-third the total population of the city, is occupying approximately one-tenth of the area within the city; and furthermore, that though the Negro population is normally increasing, no adequate plans have been made to supply future residences for the colored part of its population. Yet the situation is one that must be dealt with in some

Continued From First Page.

comprehensive way, and not allowed to drift into the haphazard solution with which we have been forced to be content in the past.

Above all, it seems to us of immense importance that whatever action Richmond takes should be based upon facts that are incontrovertible, and should reach conclusions that will command respect and the support of all right-thinking men everywhere. In this opinion we feel that your honorable committee is in full accord. And so feeling, we respectfully and earnestly submit that for the good name of Richmond, for the permanence of any solution that may be arrived at, and for the perpetuation of inter-racial amity, it is a matter of the utmost importance that the city have before it a survey whose accuracy and freshness are beyond question. To this end, therefore, we offer to your honorable committee our services in making such a survey, in the event your committee does not see fit to make the survey for itself through the instrumentality of the city administration.

Without intending to limit the scope of this survey, we beg to suggest that the investigations such as the survey is capable of making could show among other facts:

1. The present Negro population of Richmond and its location.
2. The trend of Negro population and the white districts which are most likely to be invaded.
3. Possible outlets for future Negro expansion.
4. Possible increase of Negro residences within the territory now occupied by Negroes.
5. Cost for such improvements in the Negro territory, and the possibilities of having these costs met by city treasury, by individual assistance, or by a combination of individual assistance and city finances.

Expect Other Questions.

Other questions will doubtless arise as the survey progresses, the facts could be noted, classified, and submitted to your honorable committee for its good judgment.

We have been authorized by LeRoy Brown, Jr., of the Richmond real estate exchange, to promise to supply as many men for the survey as may be necessary, and we hereby undertake to assume the extra cost ourselves.

We further agree to have the survey in proper shape for submission to your honorable committee within one mon[illegible]ime.

In conclusion, we beg you will allow us to say again, with all the force at our disposal, that the purpose of this suggestion is not to delay action, but rather to supply such information and light as will enable your committee to introduce an ordinance that will carry on its own face the justification for its enactment. We, no less than yourselves, are very jealous of the good name of Richmond, and we feel it will be an incalculable loss to this city were the fact that an ordinance which appeared to be on its face unfair and discriminating against a minor race to go out to the public unless it were accompanied by such a statement of fact as would compel the acceptance of its conclusions by intelligent critics.

It was signed by Legh R. Page, Richmond Bar Association; W. E. Hill, for Ministerial Union; R. W. Carrington, for inter-racial commission; John Stewart Bryan, for Chamber of Commerce; LeRoy E. Brown, Jr., for Richmond real estate exchange.

Council chambers were packed with members of both races and the chairman ruled that addresses on the ordinance would be limited to ten minutes each.

Following the reading of the requests for delay the committee chairman, Marx Gunst, offered opponents of the segregation ordinance the floor.

Statement of Brown

LeRoy E. Brown, Jr., president of the Real Estate Exchange, said that the problem affected the entire city and not any particular section or element. The action of Richmond in this matter is being watched by the entire country and the committee should go slow and make use of all data it could secure, he said. He estimated the Negro population as 28.7 per cent of the total and confined to one-tenth of the city's area. He did not feel that the committee has sufficient facts at this time upon which to reach a definite conclusion on the segregation matter, and urged delay until the entire situation has been surveyed.

Alderman Henry W. Woody, patron of the measure, opened the argument for immediate action. The ordinance is based on the racial integrity law passed by the general assembly, he said. We have separate schools for the races, separate churches, separation in the street cars, why should we not have separate localities in which to live?" he asked.

Citing recent instances of Negroes purchasing white homes in the East End, he said, he had been informed there were 1,500 homes vacant in the Negro sections of the city. Figures of the department of public works were quoted to dispute the claim that the Negro sections have inadequate sewer facilities. Mr. Woody said that the ordinance is not retroactive, and that it will not disturb residents already settled in sections occupied by the opposite race.

C. C. Crouch, principal of the Springfield school, said that the ordinance is favorable to the white house owner of moderate means and also to the Negro in general.

Major Cox Speaks.

Major Ernest S. Cox, author of "White America," spoke under extension of the time limit. He said that he had studied the Negro question and the Negro race in all parts of the world, including Africa, and urged the passage of the ordinance as necessary to establish peace between the races and for the enforcement of racial integrity.

He estimated not more than 5 per cent. of the Negroes wish to move into white neighborhoods. Segregation in the schools, in public places, on street cars and other places is not opposed, why should neighborhood segregation, which is not impracticable, be opposed? he asked. He stated that the highest ideal the South had produced in 300 years is "Negro labor and white labor made cheap by Negro labor." After 300 years the white man of moderate means must still flee before the Negro, he said and offered segregation as a step towards solution of the problem.

E. D. Gary, representing the East End Business Men's Association, said his organization had approved the segregation ordinance at its last meeting.

Edgar B. English classed it as a social problem, as fair to one race as to the other as it bars the white people from the Negro sections as well as the Negro from the white sections. Negroes pay 5 per cent. of the taxes but 28 per cent. of the city revenues goes to schools for the Negro. He denied that passage of the ordinance would affect industry and classed it as the most constructive piece of legislation produced in the city in many years.

Marx Gunst said that he is absolutely and unreservedly in favor of segregation ordinance, but urged the committee to accede to the wishes of the civic organizations and delay action for one month pending a survey of the situation. Real estate men, anxious to get their commissions were at the bottom of the present trouble, he said, and stated that while he would not be a party to any commission that might be appointed, he favored a delay.

A vote on the question of granting a delay showed five against delay and three for it.

Councilman McDowell regretted the vote. He did not believe the ordinance would stand the test of constitutionality in the courts. Neither did he believe it would aid racial integrity.

Charles Moss estimated the number of Negroes who want to move into white sections at not more than 3 per cent. and the number of whites who wish to sell to Negroes at about 5 per cent. Failure of real estate men and property owners to provide adequate housing in Jackson ward was the cause making the ordinance necessary, he said.

RICHMOND'S CITY SEGREGATION CASE ARGUED

City Appealed Whn I Lost Case in Lowe Court.

3 JUDGES SIT

Loser to Appeal, Whatever the Decision

RICHMOND, Va. (CNS)—The appeal of the city of Richmond, Virginia, before the United States Circuit Court of Appeals, designed to test the constitutionality of its latest segregation ordinances, was argued here last week and attracted more interest than any case heard during the present term of the court.

Judges John J. Parker and Elliott Northcott of the United States Circuit Court, sitting with Judge Henry C. McDowell, district judge from Western Virginia, heard the argument of the city of Richmond as presented by Lucius F. Cary, white, assistant city attorney, and Alfred E. Cohen, white, counsel for J. B. Deans, the appellee. No matter what the decision is, the case will be appealed to the U.S. Supreme Court.

Ordinance is New

Upon the opinion of the court rests the city's right to prosecute Negroes for violations of the segregation ordinance.

The contention of the city, in appealing the case from the United States District Court at Norfolk, in which Judge G. Lawrence Groner held the ordinance as unconstitutional, is that "this ordinance is entirely new and different from all other ordinances of the kind, basing its authority upon the Virginia State racial integrity act and not upon any distinction on account of color."

Before Constitutions

Basing his argument on three separate points of law, the attorney for Deans, who was forbidden by the segregation ordinance to reside on his Twenty-first street property in the city of Richmond, told the court that the ordinance is unconstitutional and therefore null and void because the right to own and use property does not owe its origin to the State constitutions. This right existed before the constitutions.

FIGHT RICHMOND SEGREGATION IN APPEALS COURT

Richmond, Va.—CNS—Arguing before the United States Circuit Court of Appeals on the unconstitutionality of the Richmond segregation ordinance, Alfred E. Cohen, Friday told the court that although the city officials claimed that the new ordinance was not based upon color discrimination, it was based upon the racial integrity act, which in turn had at its source a discrimination solely between white people and Negroes.

Enactment not Complete

In his second argument Cohen said:

"An enactment must be complete when it leaves the legislative hall, in which it is formed and must not delegate to one citizen the power to make a law for another citizen. This latter the segregation ordinance does, as it employs the sole first occupant of a residence on a vacated or virgin square, white or Negro ad liberatim, to the detriment of other owners of residences or vacant lots on that square.

Run out of State

"Further: If it were once conceded that the legislature may lawfully in the exercise of its police power exclude a Negro from residence in a city square, if already occupied in the majority by the white race, then it would logically follow that it could deny him residence in every county of the state under like conditions, as the latter is only a matter of degrees in the expanse of territory, and thus nullify the Fourteenth Amendment of the Federal Constitution which made the Negro a citizen of the State as well as the United States.

"The Negro might thus be expatriated."

Richmond Started Segregation

The first segregation act in the United States was passed by the city of Richmond in April, 1911. It was followed by those of Baltimore, Winston-Salem, Atlanta and Louisville.

The Louisville act, under the title Buchanan vs. Warley, got to the Supreme Court of the United States where it, as well as those of the other cities mentioned, was declared unconstitutional, on the ground that it violated the Fourteenth Amendment, which provides that no citizen may be deprived of his property without due process of law.

Judges John J. Parker and Elliott Northcutt of the United Circuit Court, sitting with Judge Henry C. McDowell, District Judge from Western Virginia, heard the argument of the City of Richmond as presented by Lucius F Cary, assistant city attorney and Alfred E. Cohen, counsel for J. B. Deans, the colored appellee.

Upon the opinion of the court rests the city's right to prosecute Negroes for violations of the segregation ordinance. The contention of the City of Richmond in appealing the case from the United States District Court at Norfolk, in which Judge D. Lawrence Groner held the ordinance as unconstitutional, is that "this ordinance is entirely new and different from all other ordinances of the kind, basing its authority upon the Virginia State racial integrity act and not upon any distinction on account of color."

Appellee's Argument

Basing his argument on three separate points of law, Alfred E. Cohen, attorney for J. B. Deans, who was forbidden by the segregation ordinance to reside on his Twenty-seventh street property in the City of Richmond, told the court that the ordinance is unconstitutional and therefore null and void because the right to own and use property does not owe its origin to the states constitutions. This right existed before the constitutions.

Continuing he argued: "Like every other fundamental right it is a right to which the police power is subordinate. except in so far as the use to which the occupier puts it is offensive, like to citizens, white, Negro, red brown and yellow."

"Then when the police power is exercised the means adopted must be reasonably necessary, as well as appropriate, for the accomplishment of a legitimate object, not one having for its purpose the appeasing of racial antipathy."

Second Argument

In his second argument Cohen said "An enactment must be complete when it leaves the legislative hall, in which it is formed and must not delegate to one citizen the power to make a law for another citizen. This latter the segregation ordinance does, as it employs the sole first occupant of a residence on a vacated or virgin square white or Negro ad liberatim, to the detriment of other owners or residences or vacant lots on that square."

"Further: If it were once conceded that the legislature may lawfully in the exercise of its police power exclude a Negro from residence in a city square if already occupied in the majority by the white race, then it would logically follow that it could deny him residence in every county of the State under like conditions, as the latter is only a matter of degrees in the expanse of territory, and thus nullify the Fourteenth Amendment of the Federal Constitution which made the Negro a citizen of the State as well as the United States."

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Associated with Mr. Cohen in the case is Joseph R. Pollard, prominent Richmond colored lawyer, who has been active in the fight of the colored citizens of the city against legislation proscribing their civil liberties.

THINKS MUTUAL UNDERSTANDING WILL PROVE BEST SOLUTION FOR RACE RESIDENTIAL QUESTION IN CITIES

Richmond White Lawyer Says Encroachment Of Negroes Sign Of Progress

Richmond, Va.—"Conferences and mutual understanding" between white and colored should take the place of attempted legal enactments to work out residential "dead lines" in Richmond and other cities of the State, was the opinion expressed here by speakers before the ninth annual convention of the Virginia Real Estate Association Friday.

The encroachment of Negroes into hitherto white residential districts of the various cities is merely an effort on the part of the race to escape foul and unsatisfactory living conditions, and a sign of race progress, also was the opinion forcefully expressed by Harry M. Smith jr., prominent Richmond lawyer. Discussing race segregation, he said that the failure of the whites to develop subdivisions for Negroes had been the cause of the latter's invasion of white areas,and that the Negro becomes a better citizen once he owns property. The lawyer said he regarded it a hopeful sign that Negroes were expressing dissatisfaction with their living conditions.

Members of th eassociation declared that real estate offers the best field for investments, because values are not inflated and subject to changes affecting the stock market daily.

West Virginia.
3

Segregation 1929

FIGHT COVENANT CREATING LAND BAR FOR NEGROES

West Virginia Appeals Court To Decide Legality of Covenant

Charleston, W. Va.—A restrictive covenant calculated to prevent Negroes from owning lot in the Jones-Rau Addition, a Huntington sub-division, is being carried to the Supreme Court of Appeals by counsel for Lewis and Cora White, after Judge Shepard, sitting in the Circuit Court of Huntington, had declared the covenant to be valid.

The original suit was filed in February, 1928, by a white man, H. B. White, who had purchased a lot in the sub-division, and who sought to prevent E. B. and Ethel Honaker from selling a lot to Lewis and Cora White.

The restricted covenant in question provides that the lots in this addition shall not be sold or rented to any person of Ethiopian descent for a period of fifty years.

Interest Shown In Case

Defense counsel set up in opposition to the injunction that the covenant is void and without force for the reason that it is contrary to law and public policy, and that the neighborhoods in which the property is located has become a Negro residential district.

Immediately the decision of Judge Shepard upholding the covenant was handed down, the case was taken to the Supreme Court of Appeals, which granted the appeal and supersedeas asked for.

This is the first time this issue has been raised in the Courts of West Virginia, and is being watched with keen interest throughout the state. The local N. A. A. C. P., H. D. Hazelwood, principal Douglass High School, president, is sponsoring the legal fight, supported by colored citizens of Huntington The counsel engaged includes T. G. Nutter of Charleston and Leftwich & Meadows of Huntington.

West Virginia Supreme Court Holds Segregation is Invalid; Can't Restrict Property Deeds

(Speial to the AFRO)

CHARLESTON, W.Va. — The Supreme Court of Appeals of West Virginia, in a sweeping decision handed down Tuesday in the Huntington Segregation Case brought by H. B White against Lewis White and his wife of Huntington, held that;

"A restriction in a deed conveying a fee simple estate providing that the property embraced 'shall not be conveyed, demised, devised, leased or rented to any person of Ethiopian race or descent for a period of fifty years' is void as incompatible with the estate granted."

The Court in the course of its opinion said:

Opinion

"Whether a restriction on alienation operating against only a person or a few persons, for a limited time is valid, is not the specific question before the Court, and we do not undertake a decision thereof. But on principle and reason, sustained by what we deem the better considered cases, and, we believe, by the weight of authority we hold that a restriction on alienation to an entire race of people when appended to a fee simple estate is defined as wholly incompatible with complete ownership.

"A fee simple is defined as 'the largest possible estate which a man can have, being an absolute estate. It is where lands are given to a man and to his heirs absolutely, without any end or limitation put to the estate.' Bouvier's Law Dictionary. The right to sell is a badge of ownership. If a person, **sui juris**, cannot sell a thing when it is free from debt his dominion is impaired; it is not absolute.

"If large numbers of possible buyers are cut off by the hand of the grantor, then, to that extent, the grantee ceases to be in control of his own property. A fee simple title to real estate no longer would import complete dominion in the owner if because of a restriction imposed by his grantor the market accorded by a whole race of the human family is closed.

"A distinction that would treat with more seriousness an absolute restriction against alienation for however short a period (the same being generally held nvalid), with more seriousness than a restriction against alienation to a large race of people for half a century seems fanciful rather than real. It does not follow because of contractual restrictions on the use of property in a residential community precluding a man from using a lot for the operation of a slaughter house of a glue factory or other inhibited purpose, that he may not own the lot. Likewise, though there may be contractual restrictions intended to preserve separation of races, whereby a member of a designated race may not occupy a designated property for residential purposes, it does not follow that he may not become the owner thereof. These matters may generally be regulated in the use, but not in the ownership where a fee simple estate is granted, unless countenance is given to a serious trespass on basic conceptions of property rights. The principles determinative of the rights attending complete ownership are entirely different from those which may define or limit the use.

"We reverse the decree of the trial court and dismiss the bill."

24 Pages

This decision has a far reaching effect as like restrictions are found in practically every town and city of any size in the state, especially where new additions have been laid out in the last ten or twelve years.

This case arose out of Lewis White and Cora White purchasing a lot in the Jones-Rau Addition with the above restriction. The Circuit Court of Cabell County held the restriction as legal and binding and cancelled the deed from E. B. Honaker and his wife to Lewis White and his wife. The Huntington Branch of the National Assocation for the Advancement of Colored People prosecuted the appeal and employed T. O. Nutter of this city as their attorney to present the case to the Supreme Court of Appeals of West Virginia. The decision was written by Judge Maxwell and covers twenty-four typewritten pages.

NUTTER WINS A BIG VICTORY FOR HIS RACE

Property Segregation In West Virginia Is Hit By Court

CHARLESTON, W. Va., Nov. 20.—T. G. Nutter, president of the local branch of the National Association for the Advancement of Colored People made public the details in a decisive legal victory won by the branch against residential segregation by property owners' covenant not to sell or lease to colored people.

"The victory comes in the form of a reversal by the Supreme Court of Appeals of West Virginia of the decision sustaining the segregation, given by the County Court of Cabell County.

"The appeal was made by Mr. Nutter, and Leftwich and Meadows, attorneys, in behalf of two white property owners who sold property and to Mr. and Mrs. Lewis White, who bought it, being restrained by a covenant provision in the deed, to the effect that "the property hereby conveyed shall not be conveyed, demised, devised leased or rented to any person of Ethiopian race or descent for a period of fifty years."

"In his lengthy and learned opinion Judge Maxwell states that a restriction on sale of property to an entire race of people impairs the ownership of the property: "If large numbers of possible buyers are cut off by the hand of the grantor, then, to that extent, the grantee ceases to be in control of his own property."

"In making public the victory Mr. Nutter said: "This decision will mean very much in this State as like clauses have been inserted in deeds in practically every section of the state."

"The victory is hailed at the National offices of the N. A. A. C. P. as one of the most important since the Louisville Segregation Case of 1917, by which the U. S. Supreme Court outlawed segregation by city ordinance or state law."

SEGREGATION CASE IN W. VA. COURT

Supreme Body Hears Nutter Argue Against Property Restrictions.

COUPLE BOUGHT LOT

Owners Were Not to Sell for Fifty Years

CHARLESTON, W.Va.—That anti-Negro clause in a deed prevents the ready transfer of property, that it restricts its use and sale for an unreasonable time and that Lewis White and his wife Cora, defendants, though colored, have not been proved to be of Ethiopian descent was argued by T. G. Nutter, N.A.A.C.P. attorney, before the Supreme Court of West Virginia, October 23.

H. B. White, white, sought to enjoin the defendants, E. B. Honaker and Ethel B. Honaker, both white from sale, or rent of a certain city lot to Lewis and Cora White, or any other person of "Ethiopian race or descent," because of restriction agreement among the owners to run for a period of 50 years.

Mr. Nutter pointed out that this is contrary to the spirit of the constitution of the United States and its laws as well as the public policy.

The court requested Mr. Nutter to file papers from which he made his argument as much interest was created throughout the state.

The decision of the state Supreme court is expected within a few weeks.

Supreme Tribunal Of West Virginia Hands Down Important Decision

Color Restriction Clause In Deed Ruled As Void By Court Of Appeals

CHARLESTON, W. Va., Nov. 21 —The Supreme Court of Appeals of West Virginia, in a sweeping decision handed down this morning in the Huntington segregation case, brought by H. B. White against Lewis White and his wife of Huntington, held that:

"A restriction in a deed conveying a fee simple estate providing that the property embraced "shall not be conveyed, demised, devised, leased or rented to any person of Ethiopian race or descent for a period of fifty years is void as incompatible with the estate granted."

The court in the course of its opinion said:

"Whether a restriction on alienation operating against only a person or a few persons for a limited time, is valid, is not the specific question before the court, and we do not undertake a decision thereof. But on principle and reason, sustained by what we deem the better considered cases, and, we believe, by the weight of authority, we hold that a restriction on alienation to an entire race of people, when appended to a fee simple estate is void as wholly incompatible with complete ownership. A fee simple is defined as "the largest possible estate which a man can have, being an absolute estate. It is where lands are given to a man and to his heirs absolutely, without any end or limitation put to the estate." Bouvier's Law Dictionary. The right to sell is a badge of ownership. If a person, sui juris, cannot sell a thing when it is free from debt his dominion is impaired; it is not absolute. If large numbers of possible buyers are cut off by the hand of the grantor, then, to that extent, the grantee ceases to be in control of his own property. A fee simple title to real estate no longer would import complete dominion in the owner if because of a restriction imposed by his grantor the market afforded by a whole race of the human family is closed. A distinction that would treat with more seriousness an absolute restriction against alienation for however short a period (the same being generally held invalid), with more seriousness than a restriction against alienation to a large race of people for half a century seems fanciful rather than real. It does not follow, because of contractual restrictions on the use of property in a residential community precluding a man from using a lot for the operation of a slaughter house or a glue factory or other inhibited purpose, that he may not own the lot. Likewise, though the may be contractual restrict intended to preserve separa of races, whereby a member of a designated race may not occupy a designated property for residential purposes, it does not follow that he may not become the owner thereof. These matters may generally be regulated in the use, but not in the ownership where a fee simple estate is granted, unless countenance is given to a serious trespass on basic conceptions of property rights. The principles determinative of the rights attending complete ownership are entirely different from those which may define or limit the use.

"We reverse the decree of the trial court and dismiss the bill."

This decision has a far-reaching effect as like restrictions are found in practically every town and city of any size in the state, especially where new additions have been laid out in the last 10 or 12 years.

This case arose out of Lewis White and Cora White purchasing a lot in the Jones-Rau Addition, with the above restriction. The Circuit court of Cabell county held the restriction as legal and binding and cancelled the deed from E. B. Honaker and his wife to Lewis White and his wife. The Huntington branch of the National Association for the Advancement of Colored People prosecuted the appeal and employed T. G. Nutter of this city as their attorney to present the case to the Supreme Court of Appeals of West Virginia. The decision was written by Judge Maxwell and covers 24 typewritten pages. He reviews the authorities at length and concludes by saying:

"But on principle and reason, sustained by what we deem the better considered cases, and, we believe, by the weight of authority, we hold that a restriction on alienation to an entire race of people, when appended to a fee simple estate is void as wholly incompatible with complete ownership.

T. G. Nutter of this city and A. D. Meadows of Huntington represented the appellants, and Colonel George Wallace and R. M. Parker of Huntington represented the appellees.

HUNTINGTON PROPERTY RESTRICTION COVENANTS CASE ARGUED BEFORE WEST VIRGINIA COURT OF APPEALS

N. A. A. C. P. Seeking To Have Opinion of Lower Court Reversed

Charleston, W. Va.— Decision of the Supreme Court of Appeals of West Virginia in the Huntington residential segregation case, which was argued Tuesday afternoon, October 22, is being awaited with considerable interest.

The case is the outgrowth of an attempt on the part of a group of white property owners to sell to colored purchasers a plot of land in violation of a covenant previously agreed upon between the owners and owners of abutting property that no part of their land should ever be "conveyed, demised, devised, leased or rented to any person of the Ethiopian race or descent for period of fifty years or from date hereof."

This covenant conforms in every particular to the notorious property restriction covenants being resorted to by property owners in various cities, notably in Washington, D. C., to circumvent the decision of the United States Supreme Court in the famous Louisville vs Warley case, declaring residential segregation ordinances invalid.

Orginated in 1927

The Huntington case originated in February, 1927, when H. B. White white property owner, filed suit in the Circuit Court of Cabell county to enjoin E. B. Honaker and Ethel B. Honaker, co-signatories with White to the covenant, from conveying to Lewis White and Cora White, colored, a certain piece of property covered by covenant and to enjoin Lewis and Cora White from attempting take title to the property, and sids as void a deed to the lot to the Whites from the Honakers. The Circuit Court decided in favor of the plaintiff and enjoined the defendants in the acts attempted.

An appeal was taken to the Supreme Court of Appeals of West Virginia, and the Huntington Branch of the National Association for the Advancement of Colored People took charge of the case, employing T. G. Nutter, of this city and President of the Charleston N. A. A. C. P., as counsel to assist Anderson D. Meadows, of Huntington, in presenting the appeal to the Supreme Court.

Defendants' Contention

The brief was filed by counsel for defendants contends among things that the covenant "is to the spirit of the Const the United States and its la the public policy to be den from so that a court of equ not enforce it.

"That the covenat in vents the ready trans erty restricted and strict its use and sale

able time, the class to which alienation is forbidden is too large and the covenant is therefor unreasonable.

The assertion is also made that no proof exists that Lewis White and Cora White were persons or descendants of the Ethiopian race, it being held that "The name Ethiopian is not an Ethnological designation, but is a politic-geographical designation," and that Lewis White and Cora White were not brought within the terms of the covenant.

Much interest has been created throughout the State and a number were present when the case was argued. Mr. Nutter made the closing argument for the defense.

Segregation-1929

Wisconsin

INDEPENDENT

Elkhorn, Wis

AUG / 1929

Negro Invasion of Powers Lake Arouses Whites to Activit

White property owners on Powe ake are considerably excited ov the sale of a 300 acre tract of lan by an unscrupulous Polish family t a negro club and the subesquent i vasion of several hundred negroe from Chicago. The lake has neve had a colored settlement and th suddenness with which the negroe advanced on the white populatio and established summer residenc has aroused them to action.

Mrs. P. H. Jackson, one of th residents of the lake who has live their for a good many summers, ha taken the campaign into her hand and with the help of the propert owners association, the white folk are proceeding to make war agains their unwelcome neighbors.

According to Mrs. Jackson there i no legal recourse possible due to th fact that no code of restrictions ha ever been adopted at the lake, bu they are waging a campaign of dis comfort which they hope will bea fruit in the form of a retreat on th part of the negroes.

Mrs. Jackson states that since the property was sold other property has dropped in value to rock bottom and that hotels, restaurants, and places of amusement are suffering losses because of the invasion.

That the class of negroes which visit the lake are of a moneyed type s tesified by Mrs. Jackson who states that "there is not a fliver on the place but rather Lincolns, Cadillacs and other expensive makes of machnes." She reports that on July Fourth there were better than 1500 negroes on the tract of land and that every Sunday several hundred visit the lake.

Lake Ivanhoe, a little to the north, was sold some years ago to negroes and the entire lake is populated by colored families. It is today a thriving summer resort where only negroes may congregate and where the white population is not overly welcome.

The campaign to oust the negroes from Powers lake will be interesting to watch.

Mrs. Jackson firmly states, "I would urge every red blooded patriot to wake up to something far more serious than the Chinese invasion of California. The segregation of the negro is just as vital to our future."

Changes in Law Brought by S cial and Economic Forces." Du ing the course of his remark President Stradford said: "It not enough to oppose residenti segregation, disfranch i s e m e n laws, and separate schools, w must work incessantly to put o the Status Books of every Stat a comprehensive Civil Rights La which should be constantly teste until discrimination disappears.

In a report filled with informa tion concerning the work of th Association during the last pas year Secretary Irvin C. Mollis made the following statement ed thru, and this National Ba the Association should be follow Association like a conquerin army should sweep away thos prevalent faults of lethargy, ignor ance, and false notions abou segregation, which faults are th besetting sins of our group, an with quickened step march upo the broad highway which leads t enhanced prestige, a larger meas and greater opportunities for dis ure of real professional success interested services to the Negr group and the Community."

Need Strong Locals

In the afternoon sessions of th of the Mound City Bar Associa first day, Hon. Homer G. Phillip tion of St. Louis, Mo., spoke up on the "Importance of Local Ba Associations." Mr. Phillips main tained earnestly the need fo higher ethical standards among the Local Bar Associations and a greater moral responsibility; tha here can be no truly great Na ional Bar Association withou trong Bar Associations to build pon. Phillips stated: "There is n ompromise when we organize t ive better service to the people whom we represent."

Judge James A. Cobb of the Municipal Court of Washington, D. C., stated that in an important way lawyers are the social engineers engaged in guiding and controlling all forces which play and inter-play in civilized society, he organization and coduct of business are predicted upon the awyers services. One of the high points in his address upon "The Opportunity of the Negro Lawyer to make a real contribution o American Jurisprudence," was his statement: "It is manifest hat to synchronize and crystalze these decisions (referring to his analysis of certain supreme court decisions) into positive rules of law for the upholding and protection of the Negro asan Amerluty of the Negro lawyer in the can citizen, will be the special uture. When this has been done he Negro lawyer will have written a chapter in jurisprudence."

In his address upon "The Relaction against Crime in the Uni- ed States," William L. Haynes, former special assistant attorney general in the Granady murder investigation, made the following illuminating comment: "The breakdown of enforcement of criminal law is the most alarming and distressing problem before the American People today; that there is a growing consciousness of the gravity of this problem so that now and in succeeding years ways and means of stimulating respect for law must be sought and put in force. "That hese ways and means will include building up a sentiment against nullification so that it will be impossible for any section of the country to flagrantly disregard mendments to the Constitution heretofore and so summarily ue process of law."